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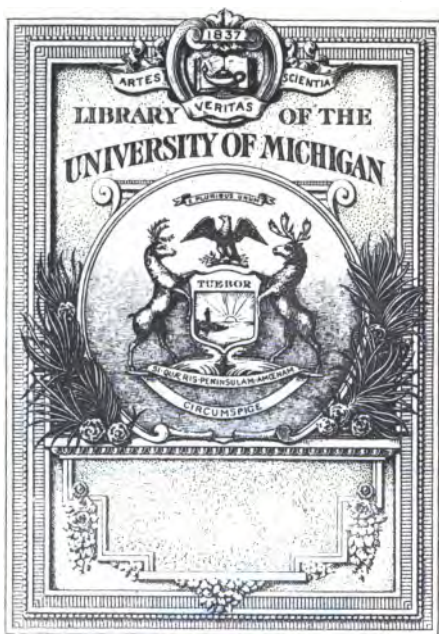
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Chas " E. Solis

A CORPORATION

MANUAL

OF THE

CITY OF ST. CLAIR,

MICHIGAN.

CONTAINING THE

Charter, Ordinances and Rules of Order
of the Common Council.

COMPILED BY ORDER OF THE COMMON COUNCIL.

ST. CLAIR.
THE REPUBLICAN BOOK AND JOB ROOMS.
1886.

J. Herbert Russell
of

5-15-1923

CHARTER.

SECTION 1. *The People of the State of Michigan Enact,* That Sections 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149 of act number one hundred and forty two of the session laws of one thousand eight hundred and sixty three, entitled "An act to revise the charter of the city of St. Clair" be amended to read as follows:

SEC. 1. That all the district of country in the county of St. Clair, in the state of Michigan, embraced within the limits and constituting the present territory of the city of St. Clair, and hereinafter particularly described, is hereby constituted and still declared to be a city by the name of the city of St. Clair, said district of country being bounded and described as follows, viz: Commencing at the north-east corner of the south of fractional section number twenty-nine (29) in the township number five (5) north of range number seventeen (17) east, thence west on the quarter line across sections twenty-nine (29) and thirty (30) to the northwest corner of the south part of fractional section thirty (30) in said township and range, thence south on the west line of said section thirty (30) to the north line of private claim number three hundred and five (305), thence along the north line of said private claim westerly to the north-west corner thereof, thence along the west line of said private claim southerly to the south-west corner thereof, thence along the south line of said private claim easterly to the south-west corner of private claim number three hundred and four (304), thence southerly along the west line of said private claim three hundred and four (304), to the north-west corner of out lot number fourteen (14), thence east along the north line of said out lot to the centre of Pine river, thence along the centre of said Pine river up stream to the north-east corner of out lot number seventeen (17), thence easterly along the north line of out lots seventeen (17) and nineteen (19) to the centre of the river St. Clair, thence along said line northerly to the place of beginning; also all that part of private claim number three hundred and six (306) which lies north and east of the centre of Pine river, and also the waters of Pine and St. Clair rivers within the above limits, and heretofore set off from the townships of St. Clair and China, and constituted the said city of St. Clair, and by which name it shall hereafter continue to be known.

SEC. 2. The freemen of said city, from time to time being inhabitants thereof, shall be and continue a body corporate and politic, to be known and distinguished by the name and title of the city of St. Clair, and shall be and are hereby made capable of suing and being sued, of pleading and being impleaded, answering and being answered unto, and of defending and being defended, in all courts of law and equity, and in all other places whatever, and may have a common seal, which they may alter and change at pleasure, and by the same name shall be and are hereby made capable of purchasing, holding, conveying and disposing of any real or personal estate for said city.

SEC. 3. The said city shall be divided into two wards, as follows, to-wit: All that part of the city lying north of a line commencing on the border of the river St. Clair, in the centre of Jay street, thence west along said street to the east line of five acre lot number seventy-nine, thence north to the north-east corner of said five acre lot number seventy-nine, thence west along the north line of said five acre lots, seventy-nine and eighty and fifty acre lot number four, to the west line of private claim three hundred and five, shall be the first ward; and all that part of the city lying south of said line, shall be the second ward.

SEC. 4. The following officers of said city shall be elected at the annual city election, on a general ticket, by the qualified voters of the whole city, viz: one mayor, one city clerk, one treasurer, one city assessor, and the following officers of the city shall be elected at said election on a ward ticket, in each ward in said city, by the qualified electors thereof, viz: one alderman who shall hold his office for three years, one supervisor and one constable, *Provided, however,* That at the annual election to be held in said city on the first Monday in April, 1871, there be elected in each ward on a ward ticket, two aldermen, one of whom shall be elected for two years and one for three years.

SEC. 5. There shall be two justices of the peace in and for said city, who shall be elected on the general ticket, at the annual city election, in the same manner, by the same tenure, possess the same jurisdiction and powers, and be subject to the same duties and liabilities, of justices of the peace for townships, and such other jurisdiction, powers and duties, as are conferred upon them by this act; but the justices of the peace now in office shall be and continue the justices of the peace for said city, under this act, and hold their offices for the terms for which they have been elected, it being the express intention of this act that the justice of the peace first to be elected under this charter shall be at the annual election of said city in the year one thousand eight hundred and sixty-four, which justice, then elected, shall hold his term of office for four years.

and that at the annual election every succeeding two years thereafter, there shall be elected in and for said city one justice of the peace, who shall hold his term of office for four years: *Provided, however,* That any vacancies occurring in said office of justice of the peace prior to the said annual election of eighteen hundred and sixty-four shall be filled as hereafter in this act provided.

SEC. 6. The following officers shall be appointed by the common council at a meeting to be held on the first Monday in May in each and every year, viz.: city attorney, commissioner of the city cemetery, city marshal, and such other officers, assistants, and agents as may be authorized by prior resolution of the common council: *Provided, however,* That any person holding the office of sheriff, under sheriff, deputy sheriff, or jailor, shall not be eligible to the said office of city marshal in said city.

SEC. 7. No person shall be elected or appointed to, or shall hold any office under this act, who shall not be at the time of his election or appointment, and so long as he shall hold such office, a resident elector of said city; and no person shall be elected or appointed to, or hold office for any ward of said city, who at the time of his election or appointment, and so long as he shall hold such office, shall not be a resident elector of the ward from and for which he may be elected or appointed. If any person elected or appointed to any office of the corporation shall cease to be a resident of the city, or of the ward for which he may have been elected or appointed, such office shall thereby be vacated.

SEC. 8. The first annual election for city and ward officers under this act shall be held on the first Monday in April, in the year one thousand eight hundred and sixty-three, and on the first Monday in April annually thereafter; and all officers now holding office, by election in said city, which are made elective by the people under this act, shall continue to hold their respective offices until their successors are elected and qualified.

SEC. 9. The said annual election shall be held in each ward, at such place as the common council shall appoint, by posting printed or written notices of the holding of said election in at least three of the most public places in each ward, at least six days previous to said election.

SEC. 10. The common council of said city may appoint one watchman for each ward thereof, to hold their respective offices during the pleasure of said council; they may also appoint one health physician to hold his office for one year, and so many fire wardens, common criers, pound masters, weigh masters, inspectors of fire wood, and auctioneers as they shall deem necessary, each to hold their offices

during the pleasure of the council; and they may also contract with a counselor at law to perform such services as may be required of him as attorney and counselor at law for said city for such period, not exceeding one year, compensation not to exceed two hundred dollars a year, and the same rate for any less period, as the common council shall determine.

SEC. 11. When any vacancy occurs in any of the offices which are appointed by the common council, either by death, resignation or removal of the incumbent, the said council may fill such vacancies by appointment for the remainder of the unexpired term for which such officer was appointed.

SEC. 12. All officers appointed by the common council, by the provisions of this act, may each be removed from office by the common council for misconduct, or for unfaithful or insufficient performance of the duties of his office, but notice of the charges against them, and an opportunity of being heard in their defence shall first be given.

SEC. 13. On the day of elections, held by virtue of this act, the polls shall be opened in each ward, at the several places designated by the Common Council, at eight o'clock in the morning, and shall be kept open until five o'clock in the afternoon at which hour they shall be finally closed.

SEC. 14. The inhabitants of the said city being electors under the constitution of the State of Michigan, and no others, are declared to be electors under this act, and qualified to vote at the elections held by virtue of this act; and each person offering to vote at any such election, if challenged by an elector of said city, before his vote shall be received, shall take one of the oaths now provided by the laws of this State, approved June twenty-seventh, eighteen hundred and fifty-one, entitled, "an act to provide for holding general and special elections," which oath shall be administered to him (them) by one of the inspectors of election, and if any person shall swear falsely, upon conviction thereof, he (they) shall be liable to the pains and penalties of perjury; but the common council of said city are hereby authorized and empowered to provide, by general ordinance, from time to time, to so change the form of the oath or oaths to be administered to such elector, (if-challenged,) as to conform to the constitution and laws of the State which may, from time to time, be in force.

SEC. 15. The aldermen of each ward from and after the first Monday of May, 1871, shall constitute the board of inspectors of elections. The said inspectors shall, before opening the polls at any election, appoint one of their number chairman of such board of inspectors, and said

board shall appoint one competent person to be clerk of said board of inspectors. Said person so appointed as clerk, shall take the constitutional oath of office, to be administered by either of said inspectors of said board, who are hereby authorized to administer the same. The two aldermen of each ward whose term of office soonest expires shall constitute the board of registration of their respective wards.

SEC. 16. Inspectors of elections, as specified in the preceding section, shall be inspectors of election held in said wards respectively, as well as for the election of State, district and county, as for the city officers.

SEC. 17. The electors shall vote by ballot, and each person offering to vote shall deliver his ballot, so folded as to conceal its contents, to one of the inspectors, in the presence of the board; the ballot shall be a paper ticket, which shall contain, written or printed, or partly written and partly printed, the names of the persons for whom the elector intends to vote, and shall designate the office to which each person so named is intended by him to be chosen; but no ballot shall contain a greater number of names of persons designated for any office than there are persons to be chosen at the election to fill such office.

SEC. 18. The ballot shall contain the names of persons designated as officers for the city, and as officers for the ward.

SEC. 19. If at any annual election to be held in the said city there shall be one or more vacancies to be supplied in any office, and at the same time any person is to be elected for the full term of said office, the term for which each person voted for, for the said office, shall be designated on the ballot.

SEC. 20. Immediately after the closing of the polls, the inspectors of election, (or any two of them) shall, without adjournment, publicly canvass the votes received by them, and declare the result; and shall on the same day or on the next day, make a certificate, stating the number of votes given for each person for each office, and shall file such statement and certificate on the day of election, or on the next day, with the clerk of said city.

SEC. 21. It shall be the duty of the inspectors of election, on receiving the vote, as specified in section seventeen, to cause the same without being opened or inspected, to be deposited in the proper box, provided by the common council for that purpose; the said board shall also write down, or cause to be written down, the name of each elector voting at such election, in a poll list, to be kept by said inspectors of election, or under their direction.

SEC. 22. The manner of canvassing said votes shall be

the same as prescribed by law for canvassing votes at the general elections held in the State of Michigan.

SEC. 23. The person receiving the greatest number of votes for any office in said city or ward shall be deemed to have been duly elected to such office; and if an officer, except alderman, shall not have been chosen by reason of two or more candidates having received an equal number of ballots, (votes,) the common council shall, by ballot, elect such officer from the two candidates having the highest number of votes.

SEC. 24. The City Assessor elected as hereinafter provided, shall enter upon the duties of his office within ten days after his election, and all other officers elected as hereinbefore provided, shall enter upon the duties of their respective offices on the first Monday of May next following such election unless otherwise herein provided.

SEC. 25. It shall be the duty of the clerk of said city, as soon as practicable, and within five days after the meeting of the common council, as provided in the preceding sections, to notify the officers respectively, of their election; and the said officers so elected and notified as aforesaid, shall within ten days after such notice, take the oath of office prescribed by the constitution of this State before some officer authorized by law to administer oaths, and file the same with the clerk of said city.

SEC. 26. Whenever a vacancy occurs in the office of mayor, or of alderman, by refusal or neglect to take the oath of office within the time required by this act, by resignation, death, ceasing to be an inhabitant of the city or ward for which he shall have been elected, removal from office, or by the decision of a competent tribunal declaring void his election, or for any other cause, the common council of said city shall immediately appoint a special election to be held in the city, or in the ward for which such officer was chosen, at some suitable place therein, not less than five days nor more than fifteen days from the time of such appointment: *Provided*, That in case any such vacancy shall occur in the office of alderman within three months before the first Monday of April of any year, it shall be optional with the common council to order a special election or not, as they shall deem expedient.

SEC. 27. In case a vacancy shall occur in any of the offices in this act declared to be elective or appointive, except mayor and alderman, the common council may, in their discretion, fill such vacancy by appointment of a suitable person, who is an elector, and if appointed for a ward, who is also a resident of the ward for which he shall be appointed; and any officer appointed to fill a vacancy, if the office is elective, shall hold, by virtue of such appoint-

ment, only until the first Monday of May next succeeding; if an elective office, which shall have become vacant, was one of that class whose term of office continues after the next annual election, a successor for the unexpired term shall be elected at the next annual election. The common council shall appoint at a meeting to be held on the first Monday in May of each and every year, one of the members of the common council, who, in case of the absence, sickness, or other disability of the mayor, shall perform all the duties, and possess all the powers of mayor of said city, which officer shall be known as acting mayor.

SEC. 28. Whenever a special election is to be held, the common council shall cause to be delivered to the inspectors of election in the ward where such officer is to be chosen, a notice, signed by the clerk of said city, specifying the officer to be chosen, and the day and place at which such election is to be held, and the proceedings at such election shall be the same as at the annual or general election; such notice shall also be published in a newspaper of the city, at least once before the day of such special election: *Provided*, That if there be no newspaper published in said city, then by posting up copies of said notice in three of the most public places in said ward,

SEC. 29. Every person chosen or appointed by the common council, before he enters upon the duties of his office, and within five days after being notified of his appointment, shall cause to be filed in the office of the city clerk a notice in writing, signifying his acceptance of such office.

SEC. 30. If any person elected or appointed under this act, shall not take and subscribe the oath of office, and file the same, as therein directed, or shall not cause a notice of acceptance to be filed, as therein directed, or if required by the common council to execute an official bond or undertaking, shall neglect to execute and file the same, in the manner and within the time prescribed by the common council, such neglect shall be deemed a refusal to serve, unless, before any step is taken to fill any such office by another person, such oath shall be taken or such acceptance be signified, as aforesaid.

SEC. 31. At the expiration of twenty days after any election or appointment of any officer or officers in the said city, the clerk of the said city shall deliver to the said common council a list of the persons elected or appointed, and of the office to which they are chosen therein, specifying as to such office, and until his successor shall be elected and qualified.

SEC. 32. The clerk shall report to the common council the names of such officers as shall have neglected to give the bond and security required by the provisions of this act.

SEC. 33. Resignations by any officer authorized to be chosen or appointed by this act, shall be made to the common council, subject to their acceptance and approval.

SEC. 34. At city elections, every elector shall vote in the ward where he shall have resided ten days next preceding the day of election, otherwise he may vote in the ward from which he removed: *Provided*, He shall have resided in such ward ten days prior to such removal. The residence of an elector, not a householder, under this act, shall be the ward where he (they) board or take his (their) regular meals.

SEC. 35. At any election held under this act, if, from any cause, either or all of the inspectors of election shall fail to attend any such election at the appointed time and place, his or their place may be supplied for the time being by the electors present, who shall elect any of their number *viva voce*, who, when so elected, shall be duly sworn, by an officer authorized to administer oaths, to a faithful performance of their duties as such inspector or inspectors.

SEC. 36. The expenses of any election to be held as provided by this act shall be city charges, and defrayed in the same manner as the other contingent expenses of the said city.

SEC. 37. Any person elected to any office under this act, at the expiration of the term thereof, shall continue to hold the same until his successor shall be elected or appointed, and qualified; and when a person is elected to fill any vacancy in any elective office, he shall only hold the same during the unexpired portion of the regular time limited to such office, and until his successor shall be elected and qualified.

SEC. 38. The mayor and aldermen of said city shall constitute the common council. They shall meet at such times and places as they shall from time to time appoint, and on special occasions, whenever the mayor, or person officiating as mayor, (in case of vacancy in the office of mayor, or in his absence from the city or inability to officiate), shall by written or printed notice appoint, and which shall be served on the members in such manner, and for such time as the common council may by ordinance direct.

SEC. 39. The mayor, when present, shall preside at the meetings of the common council, and in his absence the acting mayor shall preside.

SEC. 40. No ordinance or resolution passed by the common council shall have any force or effect if, on the day of its passage, or on the next day thereafter, the mayor, or other officer legally discharging the duties of mayor, shall lodge in the office of the city clerk, a notice in writing, sus-

pending the immediate operation of such ordinance or resolution. If the mayor, or other officer legally exercising the office of mayor, shall, within three days after the passage of such ordinance or resolution, lodge in the office of the city clerk his reasons, in writing, why the same shall not go into effect nor have any legal operation, unless it shall, at a subsequent meeting of the common council, be passed by a majority of two-thirds of all the members of the common council then in office, exclusive of the mayor, or other officer legally discharging the duties of mayor, and if so repassed, shall go into effect according to the terms thereof. If such reasons in writing shall not be lodged with the clerk, as above provided, such ordinance or resolution shall have the same operation and effect as if no notice suspending the same had been lodged with the city clerk, and no ordinance or resolution of the common council, for any purpose mentioned in this section, shall go into operation until after the expiration of twenty-four hours after its passage.

SEC. 41. It shall be the duty of the city clerk to communicate to the common council, at the next meeting of the board, any paper that may have been lodged with him pursuant with the last preceding section.

SEC. 42. In the proceedings of the common council, each member present shall have one vote, except the mayor, or officer discharging the duties of mayor: *Provided*, That when there shall be a tie, the mayor, or other officer discharging the duties of mayor, shall give the casting vote.

SEC. 43. The meetings of the common council shall be public, except when the public interest shall, in the opinion of the common council, require secrecy. The minutes of the proceedings shall be kept by the clerk, and the same shall be open at all times for inspection. The chairman of all committees of the common council shall have authority, and are hereby invested with power, to administer oaths to any person appearing before said committee, while said committee is investigating or acting upon any matter submitted to them by the common council. The styles of all ordinances of said city shall be "It is hereby ordained by the mayor and common council of the city of St. Clair."

SEC. 44. Whenever required by two members, the votes of all the members of the common council in relation to any act, proceeding or proposition had at any meeting, shall be entered at large on the minutes, and such votes shall also be entered in relation to the adoption of any resolution or ordinance, report of a committee or other act, for taxing or assessing the citizens of said city, or involving the appropriation of public monies.

SEC. 45. A majority of the common council shall be a

quorum for the transaction of business; but no tax or assessment shall be ordered, nor any appointment be made, except by a concurring vote of a majority of all the members of the common council; and the common council shall prescribe the rules for its proceedings.

SEC. 46. No member of the common council shall, during the period for which he was elected, be appointed to or be competent to hold any office, of which the emoluments are paid from the city treasury, or paid by fees directed to be paid by any act or ordinance of the common council, or be directly or indirectly interested in any contract as principal, surety, or otherwise, the expenses or consideration whereof are to be paid under any ordinance of the common council; but this section shall not be construed to prevent the mayor or clerk from receiving any salary which may be fixed by the common council, nor from holding any office, nor to deprive any alderman or justice of the peace of any emoluments or fees to which they may be entitled to by virtue of their office.

SEC. 47. The common council, in addition to the powers and duties especially conferred upon them in this act, shall have the management and control of the finances, rights and interests, buildings, and all property, real and personal belonging to said city, and may make such orders and by-laws relating to the same as they shall deem proper and necessary; and further, that they shall have power within said city, to enact, make, continue, establish, modify, amend, and repeal such ordinances, by-laws and regulations as they deem desirable within said city, for the following purposes:

First. To prevent vice and immorality; to preserve the public peace and good order; to regulate the police of the city; to prevent and quell riots, disturbances, disorderly conduct and assemblages.

Second. To restrain and prevent disorderly and gaming houses, and houses of ill-fame, all instruments and devices used for gaming, and to prohibit all gaming and fraudulent devices, and regulate and restrain billiard tables and bowling alleys;

Third. To forbid and prevent the vending, or other disposition, of liquors and intoxicating drinks, in violation of the laws of this State, and to forbid the selling or giving to be drunk, any intoxicating liquors to any child or young person, without the consent of his or her parent or guardian, and to prohibit, restrain and regulate the sale of all goods, wares and personal property at auction, except in cases of sales authorized by law, and to fix the fees to be paid by and to auctioneers;

Fourth. To prohibit, restrain and regulate all sports,

exhibitions of natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses, and other performances and exhibitions for money.

Fifth. To abate or remove nuisances of every kind, and to compel the owner or occupant of any grocery, tallow chandler shop, butcher's stall, soap factory, tannery, stable, privy, hog-pen, sewer or other offensive or unwholesome house or place, to cleanse, remove or abate the same, from time to time, as often as they may deem necessary for the health, comfort and convenience of the inhabitants of said city;

Sixth. To direct the location of all slaughter-houses, markets, and buildings for storing gun-powder, or other combustible substances;

Seventh. Concerning the buying, carrying, selling and using gun-powder, fire-crackers or fire works manufactured or prepared therefrom, or other combustible materials, and the exhibition of fire-works, and the discharge of fire-arms, and the lights in barns, stables and other buildings, and to restrain the making of bonfires in the streets and yards;

Eighth. To prevent the incumbering of streets, sidewalks cross-walks, lanes, alleys, bridges, aqueducts, wharves or slips, in any manner whatever; and to lease the wharves and wharfing privileges at the end of the streets on the St. Clair river and Pine river in said city, upon such terms and conditions, and under such covenants, and with such remedies in case of non-performance, as the common council may direct, and may determine what buildings may be erected thereon; no lease thereof shall be executed for a longer period than ten years, and a free passage at all times shall be secured for all persons with their baggage, over said public wharves; and to grant licenses for keeping ferries in said city, to as many suitable persons as said council shall think proper, which license shall continue in force for a time to be specified therein, not exceeding three years, and to make such rules and regulations in relation to such ferries as said council from time to time, by ordinance, may direct;

Ninth. To prevent and punish horse-racing and immoderate driving or riding in any street, or over any bridge, and to authorize the stopping and detaining any person who shall be guilty of immoderate driving or riding in any street, or over any bridge;

Tenth. To determine and designate the route and grades of any railroad to be laid in said city, and to restrain and regulate the use of locomotives, engines and cars, upon the railroads within said city;

Eleventh. To prohibit and regulate bathing in any of the

public waters within the limits of said city, and to provide for cleansing Pine river of drift wood and other obstructions, within the limits of said city, and to preserve and regulate the navigation of said Pine river within the limits of said city.

Twelfth. To restrain and punish drunkards, vagrants, mendicants, street beggars, and persons soliciting alms or subscriptions for any purpose whatever.

Thirteenth. To establish and regulate one or more pounds, and to restrain and regulate the running at large of horses, cattle, swine and other animals, geese and poultry, and to authorize the impounding and sale of the same for the penalty incurred, and the costs of keeping and impounding.

Fourteenth. To prevent and regulate the running at large of dogs, to impose taxes on the owners of dogs, and to prevent dog-fights in the streets of said city;

Fifteenth. To prohibit any person from bringing and depositing within the limits of said city, any dead carcasses, or other unwholesome or offensive substance and to require the removal or destruction thereof, if any person shall have on his or her premises such substances, or any putrid meats, fish, hides or skins of any kind, and on his or her refusal to remove the same forthwith, to authorize the removal or destruction thereof by some officer of said city;

Sixteenth. To compel all persons to keep sidewalks in front of premises owned or occupied by them, clear from snow, dirt, wood, or obstructions of any kind;

Seventeenth. To regulate the ringing of bells, and the crying of goods and other commodities for sale at auction or otherwise, and to prevent disturbing noises, and obscene and improper language in the streets;

Eighteenth. To prescribe the powers and duties of watchmen, and the fines and penalties for their delinquencies;

Nineteenth. To regulate and establish the line upon which buildings may be erected upon any street, lane or alley in said city, and to compel such buildings to be erected upon such line, by fine upon the owner or builder thereof, not to exceed five hundred dollars;

Twentieth. To regulate the burial of the dead, and to compel the keeping and returning of bills of mortality;

Twenty-first. To establish, order and regulate the markets, to regulate the vending of wood, meats, vegetables, fruits, fish and provisions of all kinds, and to prescribe the time and place for selling the same, and the fees to be paid by butchers for license: *Provided*, That nothing herein contained shall authorize the common council to restrict,

in any way, the sale of fresh and wholesome meats, by the quarter, within the limits of said city;

Twenty second. To establish, regulate and preserve public reservoirs, wells and pumps, and to prevent the waste of water;

Twenty-third. To regulate sextons and undertakers for the burying of the dead; carmen and their carts; hackney carriages and their drivers; omnibuses and their drivers; scavengers, porters and chimney sweeps, and their fees and compensation, and the fees to be paid by them into the city treasury for license;

Twenty-fourth. To prevent runners, stage-drivers and others, from soliciting passengers or others to travel or ride in any stage, omnibus, or upon any railroad, or to go to any hotel or otherwise;

Twenty-fifth. Concerning the lighting of the streets and alleys, and the protection and safety of public lamps;

Twenty-sixth. To regulate and restrain hawking and peddling in the streets, and to regulate pawn-brokers;

Twenty seventh. To prescribe the duties of all officers appointed by the common council, and their compensation, and the penalty or penalties for failing to perform such duties, and to prescribe the bonds and sureties to be given by the officers of the city for the discharge of their duties, and the time for executing the same, in cases not otherwise provided for by law;

Twenty-eighth. To preserve the salubrity of the waters of Pine river, or other waters within the limits of said city; to fill up all low grounds or lots covered, or partially covered, with water, or to drain the same, as they may deem expedient;

Twenty-ninth. To prescribe and designate the stands for carriages of all kinds, which carry persons for hire, and carts and carters, and to prescribe the rates of fare and charges, and the stand or stands for wood, hay and produce exposed for sale in said city.

SEC. 48. The common council may ascertain, establish and settle the boundaries of all streets and alleys in said city, and prevent and remove all encroachments thereon, and exercise all other powers conferred on them by this act; in relation to highways, common and other schools, the prevention of fires, the levying of taxes, the supplying the city with water, and all other subjects of municipal regulation, not herein expressly provided.

SEC. 49. The common council shall also have power, by ordinance or otherwise, to require the owners or

occupants of any mill-race within the said city, to cover the same with bridges or arches, to be constructed with such materials as the common council shall direct, or they may direct the same to be covered in the same manner that other public improvements are directed to be made.

SEC. 50. Whenever the owner or occupant of any mill-race, shall refuse or neglect, within such time as the common council shall have appointed, to cover such mill-race, in the manner and with the materials by them directed, it shall be lawful for the common council to cause the same to be done at the expenses thereof, with damages at the rate of ten per cent., with costs of suit, from such owner or occupant.

SEC. 51. Where, by the provisions of this act, the common council have authority to pass ordinances on any subject, they may prescribe a penalty, not exceeding one hundred dollars or ninety days imprisonment, or both, in the discretion of the court, together with the costs of prosecution, for a violation of any of said ordinances, and may provide that the offender, on failing to pay any fine, penalty or forfeiture, together with the costs of prosecution, may be imprisoned in the county jail of St. Clair county for any term not exceeding ninety days. Penalties may be sued for and recovered, with costs, in the name of the city of St. Clair.

SEC. 52. No ordinance of the common council, imposing a penalty, shall take effect until after the expiration of at least fifteen days after the first publication thereof in a newspaper published in said city, or by posting up a copy of said ordinance in a conspicuous place at the office of the clerk of said city.

SEC. 53. A record of entry, made by the clerk of the said city, or a copy of such record or entry, duly certified by him, shall be prima facie evidence of the time of such first publication or posting; and all laws, regulations and ordinances of the common council may be read in evidence in all courts of justice, and in all proceedings before any officer, body or board in which it shall be necessary to refer thereto, either,

First. From a copy certified by the clerk of the city, with the seal of the city of St. Clair affixed; or,

Second. From the volume of ordinances printed or written by authority of the common council.

SEC. 54. The common council shall have power to purchase and to hold a suitable lot or lots of land, within or without the corporation limits, for the purpose of a city cemetery or cemeteries, and they shall make such rules and regulations regarding the same as they may deem necessary,

and may cause the same to be surveyed into suitable lots, and may dispose of the same to purchasers, and thereupon cause to be executed to such purchasers a good and sufficient deed, in the corporate name of said city, which deed shall be signed by the mayor and clerk of said city.

SEC. 55. The common council shall have power to purchase a potter's field, within or without the city limits, for the burial of the city poor, and may make such rules and regulations concerning the same as they may deem necessary.

SEC. 56. The common council shall have power, whenever in their opinion the necessities of the city require, to constitute a city watch-house, city hall and city market or markets, and to appoint the keepers, clerks and necessary officers thereof, and may locate such city watch-house, city hall and city market or markets, within or without the city limits, and may make such regulations concerning the same as the common council may think proper.

SEC. 57. *First.* The common council shall have and exercise in and over said city, the same powers in relation to the regulation of taverns, groceries, common victualers, saloon-keepers and others, as are now or may hereafter be conferred by the general laws of this State upon township boards, or upon corporate authorities of cities and villages, in relation to tavern-keepers and common victualers, and subject to the same conditions and limitations, in addition to the powers herein otherwise granted; and the general laws of this State now in force, or which may hereafter be enacted, in relation to the regulation of taverns, groceries and common victualers, shall be deemed applicable to this city, unless otherwise limited:

Second. No person shall engage in or exercise the business or occupation of tavern-keeper, inn-holder, common victualer, or saloon-keeper, within the limits of said city, until he is first licensed as such by the common council; and any person who shall assume to exercise such occupation, without having first obtained such license, shall forfeit and pay, for every day he shall so exercise such occupation or business, the sum of two dollars, to be recovered by action of debt, in the name of the city of St. Clair, before any justice of the peace of said city, together with the costs of prosecution;

Third. The common council shall have power to grant license to authorize persons to exercise the business of tavern-keeper, inn-holder, common victualer, or saloon-keeper, within said city, and may impose such fees, to be paid into the city treasury on the granting of such license, as they may see fit.

SEC. 58. The city clerk shall be the sealer of weights

and measures of the said city, and shall perform all the duties of township clerk, so far as the same applies to the sealing of weights and measures, and the laws of this State relating to the sealing of weights and measures, shall apply to the said city.

SEC. 59. On the last Tuesday in the month of April, in each year, the common council shall audit and settle the accounts of the city treasurer, and the accounts of all other officers and persons having claims against the city, or accounts with it, and shall make out a statement in detail of the receipts and expenditures of the corporation during the preceding year, in which statement shall be clearly and distinctly specified the several items of expenditure made by the common council, the objects and purposes for which the same were made, and the amount of money expended under each, the amount of taxes raised for the general contingent expenses, the amount raised for lighting and watching the city, the amount of highway taxes and assessments for opening, paving, planking, repairing and altering streets, and building and repairing bridges, the amount borrowed on credit of the city, and the terms on which the same was obtained, and such other information as shall be necessary to a full understanding of the financial concerns of the said city.

SEC. 60. The said statement shall be signed by the mayor and clerk of said city, and filed with the papers in the city clerk's office; the same may be published by the clerk, at the expense of the city, in some newspaper thereof, to be designated by the common council, previous to the first day of May thereafter.

SEC. 61. It shall be the duty of the mayor to take care that the laws of the State and the ordinances of the common council be faithfully executed; to exercise a constant supervision and control over the conduct of all subordinate officers, and to receive and examine all complaints against them for neglect of duty; to recommend to the common council such measures as he shall deem expedient; to expedite such as shall be resolved upon by them, and in general to maintain the peace and good order, and advance the prosperity of the city.

SEC. 62. All official bonds of said city shall be deposited with the clerk of the city for safe keeping, and it shall be the duty of the clerk to deliver the same, together with all the books, papers and other property, to his successor in office.

SEC. 63. It shall be the duty of every alderman in said city to attend the regular and special meetings of the common council; to act upon committees when thereunto appointed by the mayor or common council; to order the

arrest of all persons violating the laws of this State, or the ordinances, by laws or police regulations; to report to the mayor all subordinate officers who are guilty of any official misconduct or neglect of duty; to maintain peace and good order, and to perform all other duties required of them by this act.

SEC. 64. The accounts and demands of all persons against said city shall be verified by affidavit, and shall set forth the items thereof in detail, which affidavits may be taken and certified by any member of said common council, or by any person authorized to administer oaths.

SEC. 65. The clerk shall keep the corporate seal, and all the papers belonging to said city as a corporation, not properly by this act in the custody of some other person or officer thereof, and shall make a record of the proceedings of the common council, whose meetings it shall be his duty to attend, and copies of all papers duly filed in his office, and transcripts from the records of the proceedings of the common council, certified by him under the corporate seal, shall be evidence in all places, when produced, of the matters therein contained; he shall countersign all licenses granted for any purpose whatever by the mayor or common council, and shall enter into an appropriate book the name of every person to whom a license shall be granted, and the number of such license, and the date thereof, and the time during which it is to be continued in force, and the sum paid for such license; no license, for any purpose granted, shall be valid until thus countersigned by the clerk.

SEC. 66. The clerk shall publish, at least one week, in a newspaper printed in the city, all the ordinances of the common council for the violation of which any penalty may be imposed, and all votes, ordinances and resolutions, directing the payment of money, shall be published at least once in like manner, within eight days after the passage of such vote, ordinance or resolution; he shall also perform such other duties as this act shall direct, or which may be directed by ordinance of the common council.

SEC. 67. The city clerk shall, immediately on entering upon the duties of his office, appoint a deputy city clerk, who shall be approved by the common council, and who shall take an oath of office, and file the same with the clerk, and in case of the absence, sickness, death, or other disability of the clerk, such deputy shall perform the duties of such clerk, and receive the same compensation as the clerk would have been entitled to receive therefor.

SEC. 68. The treasurer shall receive all moneys belonging to the city, and shall deposit and keep the same as directed by the common council, and shall keep an account of all receipts and expenditures in such manner as the com-

mon council shall direct. All monies drawn from the treasurer shall be drawn in pursuance of an order of the common council, by warrant, signed by the clerk and counter signed by the mayor, and the clerk shall keep an accurate account, under appropriate heads, of all expenditures, of all orders drawn upon the treasurer, in a check-book to be kept by him for that purpose. The books and accounts of the treasurer shall, at reasonable hours, be opened to the inspection of any elector of said city; the treasurer shall exhibit to the common council, at the last regular meeting in the month of March, or at any special meeting for that purpose in said month, a full and fair account of all the receipts and expenditures after the date of the last annual report, and also the state of the treasury, which account shall be referred to a committee for examination, and if found to be correct, shall be filed with the clerk.

SEC. 69. The attorney or counselor of the city shall perform such duties, and exercise such powers, as shall be assigned to him by the common council by an ordinance duly enacted.

SEC. 70. The marshal of said city shall, before entering upon the discharge of the duties of his office, give such security for the faithful performance of his duties as the common council shall direct and require; and he shall be superintendent of the city, and it shall be his duty to superintend, under the general direction of the common council, all work to be done or performed upon or in relation to any of the public streets, walks, bridges, sewers, or public pumps, reservoirs or grounds of said city, and to perform such other duties as by this act, or by the ordinances or resolutions of the common council, shall be required. He may also serve all process that may be issued by any justice of the peace of said city the same as any constable, or the sheriff of the county of St. Clair, and with the same power and authority. He shall obey all lawful orders of the mayor or the common council, and shall also attend the meetings of the common council, and may command the aid and assistance of all constables and all other persons in the discharge of the duties imposed upon him by law. He shall have power and authority, and it shall be his duty, with or without process, to apprehend any person found disturbing the peace, or offending against any of the ordinances of the city, and forthwith to take such person before any justice of the peace of said city, to be dealt with according to law. He may appoint such deputy or deputies as the common council shall direct and approve, who shall have the same powers and perform the same duties as the marshal, and for whose official acts he shall in all respects be responsible.

SEC. 71. The justices of the peace of said city shall file

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their oaths of office in the office of the clerk of the city of St. Clair, and shall have, in addition to the jurisdiction conferred by this act on them, the same jurisdiction, powers and duties conferred on justices of the peace in townships: *And provided further*, That all actions within the jurisdiction of justices of the peace may be commenced and prosecuted in the justices' courts of this city, when the plaintiff or defendant, or one of the plaintiffs or defendants, reside in the townships next adjoining this city, or in any of the townships of St. Clair county next adjoining the townships of China and St. Clair.

SEC. 72. It shall be the duty of justices of the peace of said city to keep their offices in said city, and to attend to all complaints of a criminal nature which may properly come before them, and they shall receive for their services, when engaged in cases for the violation of the ordinances of said city, such fees as the common council shall, by ordinance, prescribe.

SEC. 73. All fines, penalties or forfeiture recovered before any of such justices, for violation of any city ordinance, shall, when collected, be paid into the city treasury, and each of such justices shall report, on oath, to the common council, at the first regular meeting thereof in each month, during the term for which he shall perform the duties of such justice, the number and name of every person against whom judgment shall have been rendered for such fine, penalty or forfeiture, and all moneys by him received for and on account thereof, which moneys so received, or which may be in his hands, collected on such fine, penalty or forfeiture, shall be paid into the said city treasury on the first Monday of each and every month, during the time such justice shall exercise the duties of said office; and for any neglect in this particular he may be suspended or removed, as hereinafter provided.

SEC. 74. In addition to the security now required by law to be given by justices of the peace, each of said justices of the peace shall, before entering upon the duties of his office, execute a bond to the city of St. Clair, with one or more sufficient sureties, to be approved by the mayor or city clerk of said city, which approval shall be endorsed on said bond, in the penalty of one thousand dollars, conditioned for the faithful performance of his duties as police justice of said city, and to pay over the moneys so collected, and make his report as in this act required, which bond shall be filed in the office of the treasurer of said city.

SEC. 75. It shall be the duty of each justice of the peace at the first regular meeting of the common council in each of the months of August, November, February, and May, in every year, to account, on oath, before the common

council, for all such moneys, goods, wares and merchandise seized as stolen property, as shall then remain unclaimed in the offices of either of the said justices of the peace, and immediately thereafter to give notice for four weeks, in one of the public newspapers printed in the county of St. Clair, to all persons interested or claiming such property: *Provided always*, That if any goods, wares, merchandise or chattels of a perishable nature, or which shall be expensive to keep, shall at any time remain unclaimed in the offices or possession of either of the said justices, it shall be lawful for such justice to sell the same at public auction, at such time, and after such notice, as to him and the said common council shall seem proper.

SEC. 76. It shall be the duty of each of the justices of the peace aforesaid who may recover or obtain possession of any stolen property, on his receiving satisfactory proof of property from the owner, to deliver such property to the owner thereof on his paying all necessary and reasonable expenses which may have been incurred in the recovering, preservation or sustenance of such property, and the expenses of advertising the same.

SEC. 77. It shall be the duty of each of the justices of the peace aforesaid to cause all property unclaimed after the expiration of the notice specified in the last preceding section but one of this act, money excepted, to be sold at auction to the highest bidder, unless the prosecuting attorney of the county of St. Clair shall direct that it remain unsold for a longer period, to be used as evidence in the administration of justice, and the proceeds thereof forthwith to pay to the treasurer of the said city, together with all money, if any, which shall remain in his hands after such notice, as aforesaid, first deducting the charges of such notice and sale.

SEC. 78. The constables of said city shall have and receive the same fees, and have the like powers and authority, in matters of civil and criminal nature, as is conferred by law upon constables in the several towns of this State, and shall, if required by the common council give like security.

SEC. 79. The said constables shall obey the orders of the mayor and aldermen, or of any person legally exercising the criminal jurisdiction of a justice of the peace in said city, in enforcing the laws of the State, or the ordinances of said city, and in case of refusal or neglect so to do, he or they shall be subject to a penalty of not less than one nor more than twenty-five dollars.

SEC. 80. The expenses of apprehending, examining and committing offenders against any law of this State in the said city, and of their confinement, shall be audited, allow-

ed and paid by the supervisors of the county of St. Clair, in the same manner as if such expenses had been incurred in any town of said county.

SEC. 81. The commissioner of the city cemetery shall have the care of the city cemetery, and all the grounds or other property belonging thereto, subject to the ordinances and direction of the common council; he shall make such improvements upon the property as he shall think expedient, but shall not expend in any one year more than one hundred dollars, without the consent of the common council previously obtained, and he shall receive such compensation for his services as the common council shall deem just; and said commissioner shall report quarterly to the common council the amount expended by him in the improvement of said property; and it shall be the duty of said commissioner to publish an annual report in relation to the matters submitted to his charge, in a newspaper printed in said city, between the fifteenth days of February and March in each year.

SEC. 82. The director of the poor shall continue to perform such duties as are required of him by law; and the duties heretofore performed and required of the school inspectors of said city, shall hereafter be performed by the school board of St. Clair fractional union school district number one, and the clerk of said board shall make his annual report to the county clerk instead of the school inspectors, as heretofore required.

SEC. 83. The health physician, fire-wardens, common criers, pound-masters, inspectors of fire-wood and weigh-masters, shall perform such duties, and, if required, shall file such securities as the common council shall, by ordinance, direct

SEC. 84. The common council shall annually determine the salary or compensation to be paid to the several officers of said city, within the limitations hereinafter prescribed, and which shall be as follows, viz.: To the city clerk, in addition to his fees and perquisites prescribed by law, a sum not exceeding two hundred dollars per annum; to the city marshal, as superintendent of streets and highways, a sum not exceeding one dollar and fifty cents per day, and at that rate for any part of a day actually spent in the performance of such duties; to each alderman of said city (as such), a sum not exceeding ten dollars per annum; to the city attorney, a sum not exceeding two hundred dollars per annum; and they may also establish the fee or salary of all other offices of the city whose fees are not prescribed by law, and whose compensation for services is required to be paid from the city treasury.

SEC. 85. The common council shall examine, settle and

allow all accounts and demands properly chargeable against said city, as well of its officers as other persons, and shall have authority to provide means for the payment of the same, and for defraying the contingent expenses of said city, subject only to the restrictions and limitations in this act contained.

- SEC. 86. For the purpose of defraying the expenses and all liabilities incurred by said city, and paying the same, the common council may raise, annually, by tax levied upon the real and personal property within said city, such sum as they may deem necessary, not exceeding one-half of one per cent. on the valuation of such real and personal estate within the limits of said city, according to the valuation thereof, taken from the assessment roll of that year, and the sum or sums so to be raised shall be apportioned
- between the several wards of said city, in the manner in this act provided.

SEC. 87. The treasurer of said city shall collect all taxes levied or assessed in said city, and for that purpose such treasurer shall give a bond to said city, in such sum, and with such surety or sureties, as the common council shall require and approve; and such treasurer shall also give to the treasurer of the county of St. Clair such further security as is or may hereafter be required by law, of the several township treasurers of the several townships of this State. For the purposes of the collection and return of all such taxes, and of the return of property delinquent for the non-payment of taxes, the said treasurer, on giving the bonds or security so required, shall possess all the powers, and perform all the duties respecting the collection and return of taxes, as this act imposes, and as prescribed by law of the several township treasurers of this State.

SEC. 88. It shall be the duty of the assessor of said city, in each and every year, to make and complete the assessment of all the real and personal property within said city, in the same manner, and before the fourth Monday in May, as required by law for the assessment of property in the several townships of this State, and in so doing shall conform to the provisions of law governing the actions of supervisors of the several townships of this State performing like services, and in all other respects, within said city, shall, unless when otherwise in this act provided, conform to the provisions of law governing the action of supervisors in the several townships of this State, in the assessment of property and the levying of taxes and the return of jurors; and shall, also, in each year, within twenty days after the time required by law for completing the assessment rolls in the several townships of this State, make and file with the city clerk of said city, a true and certified copy of the assessment roll for each ward for such year; and said city

clerk shall receive and file the same in his office. It shall be the duty of the said assessor and the supervisors of the several wards of said city to meet at the clerk's office, on Thursday preceding the fourth Monday in May of each year, who shall be a board for the purpose of reviewing, correcting, equalizing and completing the assessments for said city.

SEC. 89. The said assessor shall deliver the said tax rolls for each ward, so completed as aforesaid, to the mayor of said city, on or before the first Monday in June in each year, who shall deliver the same, with his warrants thereto annexed, to the treasurer of said city, within the time prescribed by law for the completion and delivery of the township tax rolls to the respective township treasurers of this State: *Provided*, Security has been given by such treasurer, as required by law, or in this act provided; but if such security has not been given by such treasurer in the manner and within the time required, the common council shall immediately appoint some suitable persons who shall, upon giving the requisite security, collect such tax rolls, and the person so appointed shall thereupon be entitled to receive said tax rolls, and shall collect and pay over such taxes, and make return of his doings thereon, in the same manner, and shall have all the powers, and shall perform all the duties, and shall be subject to all the same liabilities, in this act conferred upon the treasurer, for the purpose of the collection and return, and paying over such taxes.

SEC. 90. For the collection of all such taxes the treasurer, or other person appointed to collect the same, shall be entitled to receive such per centage as shall be prescribed by the common council by ordinance, not exceeding three per cent upon the sum to be collected, which sum shall be added to the computation of taxes on said tax rolls of the respective wards of said city.

SEC. 91. It shall be the duty of the common council of said city, on or before the last Saturday preceding the first day of October in each year, to determine, by resolution, the amount necessary to be raised by tax for city purposes within said city for such year; and it shall be the duty of the city clerk to certify the amount so to be raised to the mayor of said city, on or before the first Monday in October in each year, and it is hereby made the duty of the mayor to apportion the same among the several wards of said city, according to the valuation of the property appearing upon the assessment rolls of the said several wards of said city for such year, as equalized by the board of supervisors for such year; and also to notify each of the aldermen of the several wards of said city of the amount so apportioned to their respective wards, within five days after the board of supervisors of the said county of St. Clair shall have

completed the equalization of the valuation of the property in said city, and the townships of said county, for such year, and it is hereby made the duty of the mayor of said city to levy the sum so apportioned, and such other taxes as may be required by law, upon the taxable property of such wards, in the same manner as taxes for township purposes are required by law to be levied by the supervisors of the townships of this State.

SEC. 92. Within five days after the aldermen of each ward shall have been notified, as directed in the last preceding section, of the amount of general tax to be raised in their respective wards, they shall report to the common council the sum required to be raised in their several wards for local improvements, and such sum shall be levied and assessed by the mayor upon the taxable property of such ward, in addition to the general tax, and shall be collected by the treasurer and expended by the city marshal, under the direction of the common council, for the local improvements in such ward for which it was raised.

SEC. 93. The taxes so levied for city purposes shall be and remain a lien upon the property on which the same was levied in the same cases, to the extent, and in like manner, as taxes required by law to be levied on property in the several townships of this State are liens upon such property; and all provisions of law respecting the return and sale of property for the non-payment of taxes for State, county and township purposes, shall apply to the return and sale of property for the non-payment of such city taxes, except as herein otherwise provided.

SEC. 94. The net proceeds of the sale of all property delinquent for the non-payment of city taxes, shall be paid to the treasurer of said city by the treasurer of the county of St. Clair, whenever required by the city treasurer, and the net proceeds of all sums paid to the treasurer of the county of St. Clair before sale, on account of property within said city returned delinquent for non-payment of city taxes, shall in like manner be paid to said city treasurer.

SEC. 95. And in all cases where, by the general laws of this State, it is made the duty of the supervisors of the townships to levy and assess taxes upon the taxable property of such townships, for the purpose of raising all school funds and other moneys voted by the people, pursuant to lawful authority, it shall be the duty of the mayor of said city to levy and assess such taxes upon the taxable property of the several wards thereof.

SEC. 96. The assessor of said city and the supervisors of each ward thereof, shall represent the said city of St. Clair in the board of supervisors in the county of St. Clair, at all the sessions thereof, and the said assessor and super-

visors are each hereby vested with all the powers and duties of supervisors, as provided by the laws of this State, not inconsistent with the provisions of this act, and as such shall each have an equal voice upon the said board of supervisors with the supervisors of the several towns of said county, at the annual and all other sessions of said board, representing the interests of said city therein.

SEC. 97. It shall not be lawful for the common council (except as herein otherwise provided) to borrow any money, or authorize the creation of any liability or indebtedness against said city, in any one year exceeding in the aggregate the amount which by this act may be raised by tax for such year; and in case any sum or sums of money shall be borrowed by said common council in any one year, or the said common council, or any officer thereof, shall enter into any contract or contracts for the payment of money binding upon said city, the same shall be paid out of the sums raised by tax for such year, and all sums borrowed by said city shall be applied to the purposes for which the same was borrowed, and for no other purpose whatever; but nothing in this act contained shall be construed to prohibit said common council from making assessments, and levying and collecting taxes, for the purpose of local improvements.

SEC. 98. All sums of money directed to be raised by the common council, except as in this act otherwise provided, shall be assessed upon all the real and personal estate in the said city, according to the valuation of the same, as from the valuation thereof by the last preceding assessment roll filed in the office of the city clerk; but no real or personal property which shall be exempt from taxation by the general laws of this State, nor any public square, park, or other public ground shall be assessed for the ordinary city or county taxes.

SEC. 99. Whenever, by the provisions of this act, the common council shall be authorized to issue city bonds for the payment of any sum or sums of money, the said common council shall thereupon have the power to create a sinking fund for the payment of the interest as it falls due, and the extinguishment of the principal at the expiration of the time limited for the payment thereof, which fund shall be raised by a direct tax, which shall not exceed, in any one year, one-half of one per cent. on the valuation of the real and personal property within said city, and which shall be levied and collected in the same manner as other city taxes of said city are levied and collected, and when so collected the same shall be applied to the credit of said sinking fund, for the purpose of paying off the principal or interest upon the debt so created, as the same becomes due.

SEC. 100. No money shall be drawn from the city treasury unless it shall have been previously appropriated to the

purpose for which it shall have been drawn, and all ordinances, resolutions and orders directing the payment of money shall specify the object and purpose of such payment, which shall be certified by the clerk and countersigned by the mayor, before the same shall be paid by the treasurer.

SEC. 101. The treasurer shall, at the first regular meeting of the common council in each month, make report of the finances of said city, showing what appropriations and payments have been made out of each of the several funds of said city since his last preceding report, and of the state of each of said funds.

SEC. 102. The common council of the city of St. Clair shall have full power to lay out, establish, open, extend, widen, straighten, alter, close, fill in or grade, vacate or abolish, any highways, streets, avenues, lanes, alleys, public grounds or spaces in said city, whenever they shall deem it a necessary public improvement, and private property may be taken therefor; but the necessity for using such property, the just compensation to be made for the same, and the damages arising to any person from the making of said improvements, except the grading or closing of streets, shall be ascertained by a jury of twelve freeholders residing in said city,

SEC. 103. Whenever the common council shall deem any such improvement necessary, they shall so declare by resolution, which shall be drawn by the attorney of the corporation, and in said resolution shall describe the contemplated improvement; and if they intend to take private property therefor, they shall declare such intention, and describe such property in said resolution with particularity sufficient for an ordinary conveyance thereof, and further declare that they will, on some day to be named in said resolution, apply to any justice's court of said city for the drawing of a jury to ascertain the necessity for using the property intended to be taken, if it be intended to take any for such improvement, to ascertain the just damages and compensation which any person may be entitled to if such intended improvement be made, and to apportion and assess such damages and compensation to and upon all lots, premises and subdivisions thereof, which will be benefited by such improvement, and the time to be named for applying to said court shall be on a day subsequent to the required publication of said resolution.

SEC. 104. The common council shall give notice of the intended improvement, and of the intended application to said court, by causing a copy of said resolution, certified by the clerk of the city, to be published for four successive weeks in some newspaper published in said city; and the city marshal shall also give notice of said resolution by delivering a notice thereof, with a copy of such resolution an-

nixed, to the owner or owners of private property intended to be taken; if they can be found in said city, which notice shall be directed to him or them; or if they cannot be found in said city, by leaving the same at their place of residence in said city, with some person of proper age; if they or their place of residence cannot be found, and such property be occupied, said notice and copy of said resolution shall be served by delivering the same to the occupant or occupants, or by leaving the same at their place of residence within said city, with some person of proper age; but if the owner or owners of such property, or their place of residence, cannot be found, and it be not occupied, or if it be occupied, but they, their place of residence and that of the occupants cannot be found, or if the owners or occupants be unknown or non-residents of said city, then, in either of such cases, notice of said resolution may be given by posting the same in some conspicuous place upon the property intended to be taken; the marshal shall give notice of said resolution as above directed, and make return of his doings, and of the manner of giving said notice, as soon as practicable after the passage thereof, which return shall be made to the said court at least six days before the day appointed in said resolution for the hearing of said application, and all persons interested therein, after notice given in manner aforesaid, shall take notice of and be bound by all subsequent proceedings without any further notice, except as herein otherwise provided. *E. E. S. J.*

SEC. 105. The clerk of said city shall deliver to the attorney of the corporation a certified copy of said resolution of the common council, whose duty it shall be to appear in said court and make the application therein referred to, and conduct all further proceedings therein in behalf of the common council.

SEC. 106. Upon the day designated in said resolution, or on some other day to be appointed by the court, and on filing a copy of said resolution and an affidavit showing the required publication thereof, the marshal shall attend said court and write down the names of twenty-four disinterested freeholders residing in said city, and who shall be approved by the court as such disinterested freeholders and residents, and qualified to serve.

SEC. 107. From such list each party may strike off six names; and in case of the absence or refusal of either party to strike off, the justice shall strike off for him six names from said list. Said court shall then issue a summons commanding the marshal to summon said twelve persons to be and appear in said court to serve as jurors on some day to be named therein, which shall not be less than seven days after the issuing thereof; the marshal shall serve such summons at least three days before the return day thereof, and

make return in the same manner as in the case of an ordinary venire for jurors for said court, and the persons thus summoned shall be bound to attend said court and serve until discharged; and said court shall impose upon them a fine, not exceeding five dollars for each day's non-attendance in court or neglect to serve, but they may be exempted and excused by the court from serving for the same reasons for which jurors in the circuit court may be exempted or excused.

SEC. 108. If, in consequence of jurors being exempted, excused or set aside, there shall not be in attendance a jury, the marshal shall forthwith, under the order of the court, summon such number of persons as the court shall deem necessary, and may order them to be and appear in said court to serve as jurors, and the persons thus summoned shall be returned, be bound to attend said court and serve, and be competent to form the jury in the same manner, and to the same effect, as those first mentioned.

SEC. 109. The first twelve persons who shall appear, and shall be approved by the court as qualified, shall be the jury, and shall be sworn to discharge the duties imposed upon them by this title faithfully, impartially, and according to the best of their abilities; said court shall then instruct said jury as to their duties and the law applicable to the case, and deliver to them a copy of the resolution of the common council, as filed in the said court, certified by the clerk thereof.

SEC. 110. Each of said jurors shall go to the place of the intended improvement, and upon or as near as practicable to any property intended to be taken and described in said resolution, as the case may be, which will be damaged or benefited if the intended improvement be made.

SEC. 111. Said jury shall then ascertain the necessity for using the property intended to be taken, if it be intended to take any such improvement, the just damages and compensation to be paid to the owner or owners of any property intended to be taken for, or that may be damaged by, the intended improvement, and award to the owner or owners thereof such damages and compensation as they shall deem just. If such property shall be subject to a valid mortgage, lease, lien, levy or agreement, or to either, then said jury shall apportion and award to the owner or owners of such property, the parties in interest to such mortgage, lease, lien, levy or agreement, or to either of them, such portion of the damage and compensation as they shall deem just.

SEC. 112. Said jury shall apportion and assess the total damages and compensation to be paid in any case to and upon all lots of land, premises or subdivisions thereof, which

will be benefited if the intended improvement be made, apportioning and assessing to and upon each such portion of said total damages and compensation as they shall deem just: *Provided, however,* That if the total damages and compensation be awarded to any person or persons, as above, shall exceed the total benefits to be apportioned to and assessed upon any property for the benefit such property will receive, then such excess shall be apportioned and assessed to the city of St. Clair.

SEC. 113. Said jury shall then make, in writing, and each shall sign a report to said court of their doings, enclose the same in a sealed envelope, and file it in said court within thirty days after they are sworn.

SEC. 114. Said jury shall state in their report the just damages and compensation ascertained and awarded by them to the owner of any private property, or to any person claiming an interest therein by virtue of any mortgage, lease, lien, levy or agreement, or either, to which such property may be subject, together with the name of such owner or claimant, if known, and a description of the property intended to be taken. In case any damage and compensation be awarded to any person claiming an interest in such property by virtue of any valid mortgage, lease, lien, levy or agreement, or either, to which such property may be subject, it shall be sufficient to state further in such case the name of such interested party, the date of such mortgage or other instrument, or assignment thereof, if there be any, by virtue of which such interested party has an interest in the property intended to be taken.

SEC. 115. Said jury shall also state in their report what portions in amount of the total ascertained damages and compensation they have apportioned to and assessed upon any lot, premises or subdivisions thereof, which will be benefited by the intended improvement, together with the names of the owners thereof, if known, and a description of the same; and also what portion, if any, of the ascertained damages and compensation they have apportioned and assessed to the city of St. Clair in the case above provided for.

SEC. 116. Said report may be confirmed by said court at any time when said court may be regularly in session, and said court shall appoint some day when it will consider said report, and objections against the confirmation thereof, on the part of all persons interested therein, whereof the city attorney shall give notice, by publishing or posting a notice thereof, for one week; objections, if any, shall be filed with the court in writing, but may be argued; and the consideration of said report and objections may be adjourned from time to time, until said report be confirmed or otherwise disposed of, as herein provided.

SEC. 117. Said report shall not be annulled for objections as to matters of form; all objections shall be objections of law, and to matters of substance; but the damages and compensation to be paid to any person, or the portions thereof apportioned to and assessed upon any lot of land, premises or subdivisions thereof, may be inquired into, if objected to as being excessively large or small.

SEC. 118. If no objections be filed said report shall be confirmed; but if objections be filed, said court, after considering the same, and after argument thereon, shall, in its discretion, confirm or annul said report, or may refer it back to the same jury, for the purpose of reviewing all matters and correcting all errors therein contained, and making any alterations thereof which said court may direct, or said jury may deem just or necessary; and thereupon said jury shall review, correct or alter said report in manner aforesaid, and return and file the same with said court within five days after such report was referred back to them as afore said, and thereupon said court shall confirm or annul said report.

SEC. 119. If said report be annulled, or the jury cannot agree, or from death, sickness or any other cause, shall fail to make a report within the thirty days required above, the court may, on the application of the attorney, designate some day when another jury may be had, and such jury shall be obtained, drawn, summoned, returned, bound to attend and serve, have the same qualifications, be sworn, and when sworn have the same powers and duties as the first jury; the same proceedings, after they are sworn, shall be had by them, and by and in said court, as provided for above after the first jury is sworn.

SEC. 120. If any juror, after being sworn, shall die, or from sickness or any other cause be unable to discharge his duties, the court may appoint another person to serve in his place, who shall be sworn, and shall have the like qualifications, powers and duties, as those already sworn.

SEC. 121. Any person to whom damages and compensation may be awarded for any of his property intended to be taken, or on account of the intended improvement, or to and upon whose property any portion of such damages and compensation may be apportioned and assessed, considering himself aggrieved, may appeal from the judgment of the court confirming the report of the jury to the circuit court for the county of St. Clair, by filing, in writing, with the said court a notice of such appeal, and specification of the errors complained of, within five days after the confirmation, and serving, within the same time, a copy of said notice and specification of errors on the attorney of this corporation, and filing a bond in said justice's court, to be approved by said justice, conditioned for the prosecution

of said appeal, and the payment of all costs that may be awarded against the appellant, in case the judgment of the justice's court be affirmed.

SEC. 122. In case of appeal as above, it shall be the duty of the justice's court aforesaid forthwith, or as soon as practicable, to transmit to the said circuit court a certified copy of all the proceedings in the case, which may be filed in said court.

SEC. 123. The said circuit court, at any term thereof, shall, with the least practicable delay, hear and try the matters of said appeal, and may affirm or reverse the judgment of the justice's court confirming the report of the jury, but the same shall not be reversed for matter of form, nor for any errors, except errors of law, and only in regard to the appellant or appellants. The court shall give judgment for reasonable costs and expenses in the matter of said appeal and proceedings thereon to be taxed, and all costs and expenses awarded to the city in case of affirmation shall be applied on and deducted from the damages and compensation, if any, to be paid to the appellant or appellants.

SEC. 124. If there be a reversal for any errors which it is practicable for the court to correct, with due regard to the public interests and rights of individuals, the proceedings, shall be remanded to said court, with directions that such errors be corrected. Said court or the jury, as the case may be, shall thereupon correct such error, and then the jury shall correct their report accordingly.

SEC. 125. In case of every amendment of the report of the jury by the court, or reversal by the circuit court, the common council, in behalf of said city, may, by resolution, elect to pay the damages and compensation claimed by, or the assessment made upon the property of the objector, appellant or appellants, on filing a certified copy of said resolution in the said court, within twenty days after the annulment or reversal, the report of said jury shall be reviewed and confirmed by said court as to all persons interested therein, except the objector, appellant or appellants, and without further right of appeal. If the common council do not elect, as above provided, all the proceedings shall be null and void, and no further proceedings shall be had, except in a case of reversal, when the proceedings may have been remanded to the court for the correction of certain errors, in which case such errors shall be corrected, and the report of the jury confirmed as above provided.

SEC. 126. If the report of the jury be confirmed by the court in any case above provided for, or if the judgment of confirmation be affirmed on appeal to the circuit court, such confirmation shall be final and conclusive as to

all persons interested therein; and the damages and compensation apportioned to and assessed upon any lot of land, premises or subdivision thereof, according to said report as confirmed, shall be a lien thereon from the time of the aforesaid confirmation until they are paid and satisfied.

SEC. 127. When the report of the jury shall have thus been fully confirmed, or the judgment of confirmation affirmed by the circuit court, the court shall prepare a certified copy of the report of the jury as confirmed by the court, and of the order of the court confirming the same, and shall file said certified copy in the office of the clerk of the city, who shall record the same in a book to be provided, used and known as a book of street records. Such certified copy, such record, or a like copy made and certified by the court, shall, in all courts and places, be presumptive evidence of the matters therein contained, and of the regularity of all proceedings from the commencement thereof to and including the order of the court confirming the report of the jury.

SEC. 128. The amounts apportioned to and assessed upon all lots of land, premises or subdivisions thereof for the benefits they shall receive, shall be paid to the treasurer of said city, in case of confirmation of the report of the jury as above provided, or in case of the confirmation as aforesaid being affirmed by the circuit court, and warrant or warrants authorizing the collection thereof shall be issued, as soon as practicable, under the hand of the mayor of the city, directed to the treasurer thereof; and in the collection of such assessments, the said treasurer shall proceed in the same manner, and shall levy, collect and make return to the city clerk of the sums remaining uncollected, with a description of the lots, premises and subdivisions, or parts or portions thereof, upon which such tax was assessed, and which remains unpaid as aforesaid, and the city clerk shall report the same to the mayor, and the mayor shall assess the same upon his assessment and tax roll upon such premises, and the same shall be thereupon collected and returned, and the same proceedings had for the collection and return thereof, and for the sale of such premises for the non-payment of such assessment and the charges accruing thereon, as is provided by this act in the case of the collection of assessments made for public improvements in said city.

SEC. 129. Within nine months after the confirmation of the report of the jury, or after the judgment of confirmation shall, on appeal, be affirmed, the common council shall pay or tender to the respective persons the several amounts of damages and compensation awarded to them, according to the report of the jury as confirmed or elected, as above provided for, to be paid by the common coun-

cil; and in case any such person shall refuse the same, be unknown, or a non-resident of said city, or for any reason incapacitated from receiving his or her amount, or the right thereto be disputed or doubtful, the common council may deposit the amount awarded in such case, or elected to be paid by the common council, in the treasury of the city, to the credit of any person entitled thereto, and shall, on demand, pay the same over to any person or persons competent and entitled to receive it, and the treasurer shall take a receipt and voucher therefor.

SEC. 130. Upon such payment, tender, or deposit in the city treasury, the fee and ownership of the land and property to be taken, with its appurtenances, shall be fully vested in the said city, and the common council may enter upon and take possession of and convert the same to the uses and purposes for which it has been taken. A certificate of the city treasurer of such tender, payment or deposit, or record thereof in the books of the street records, or certified copy of such record, shall, in all courts and places, be presumptive evidence of the facts therein stated, of the vesting of the fee of the property taken in the city, and of the right of the common council to take possession of and convert the same to the uses for which it has been taken.

SEC. 131. In all cases where any real estate subject to any lease or agreement shall be taken as aforesaid, all the covenants and stipulations contained therein shall cease, determine and be discharged, upon the final confirmation of the report of the jury, or upon the affirmation by the circuit court of the judgment of confirmation. If a part only of such real estate be taken, said covenants and stipulations shall cease, determine and be discharged only as to such part; and the court, on application of any party in interest to such lease or agreement, and after notice thereof of eight days, in writing, to the other parties in interest, may appoint three disinterested residents and freeholders of said city commissioners to determine the rents and payments thereafter to be made, and the covenants, stipulations or conditions thereafter to be performed under the lease or agreement, in respect to the residue or part of such real estate not taken. Said commissioners shall, before entering on their duties, take and subscribe an oath, to be administered by the court, faithfully to discharge their duties, which oath shall be filed in said court. Said three commissioners shall make and sign a report in writing of their doings to said court, which shall be filed therein within thirty days after their appointment, and said report, on being confirmed, by the court, shall be binding and conclusive on the parties in interest to such lease or agreement, and the fees and expenses of proceedings under this section shall be borne in whole or in part by the parties to such

lease or agreement, or either of them, or by the city, in the discretion of the common council.

SEC. 132. The duties above to be performed by the marshal of said city, in case of the inability of such marshal, whether by absence, sickness or interest in the subject matter of the proceedings, may be performed by either of the constables of said city.

SEC. 133. The common council shall pay said jury such compensation as they may deem just for their services, and the common council shall have power to abandon or discontinue proceedings under this chapter in said court, at any time before the final confirmation of the report of the jury.

SEC. 134. The common council shall be commissioners of highways for said city, and shall have the care and supervision of the highways, streets, bridges, lanes, alleys, parks and public grounds therein; and it shall be their duty to give directions for the repairing, preserving, improving, cleansing and securing of such highways, bridges, lanes, alleys, parks and public grounds, and to cause the same to be repaired, cleansed, secured and improved from time to time, as may be necessary; to regulate the roads, streets, highways, lanes, parks and alleys already laid out, or which may hereafter be laid out, and to alter such of them as they shall deem inconvenient, subject to the restrictions contained in this act; to cause such of the streets and highways in said city as shall have been used for six years or more as public highways and streets, and which are not sufficiently described, or have not been duly recorded, to be ascertained, described and recorded in the office of the city clerk, in the book of street records, and the recording of such highways, streets, lanes, alleys or public grounds so ascertained and described, or which shall hereafter be laid out and established by the said common council, and recorded in the book of street records in the office of the clerk, by order of the common council, shall be presumptive evidence of the existence of such highway, street, lane, alley or public ground therein described; to divide said city, from time to time, into so many highway districts as they shall deem expedient, by an ordinance or resolution entered in their minutes; to appoint and assign to each of such districts so many inspectors of streets as they shall, from time to time, deem proper, and such inspectors shall, in all cases when required by the common council, give such securities as said council shall require for the faithful performance of their duties, and the council may assign to such inspectors such duties in relation to the opening, laying out, making, repairing and preserving the streets, highways, lanes, alleys, parks squares and public grounds of said city, as they may deem expedient; and the said inspectors, when so appointed by

the council, shall possess all the powers, and be subject to all the liabilities, of overseers of highways in the several townships of this State, so far as the same may be applicable to said city under the provisions of this act.

SEC. 135. The common council shall have power to cause common sewers, drains and vaults, arches and bridges, wells, pumps and reservoirs, to be built in any part of said city; to cause the grading, raising, leveling, repairing, amending, paving or covering with broken or pounded stone, plank or other material, any street, lane, alley, highway, public ground or side-walk of said city.

SEC. 136. The common council shall have the same power in relation to discontinuing any street, highway, lane or alley in said city, in addition to the power hereinbefore granted, which the commissioners of highways in townships have or may hereafter receive in relation to town highways, and they may adopt the same proceedings to effect such object, as near as may be, as the commissioners of highways in townships are or may be, by law, required to adopt; and appeals may be taken to the circuit court of St. Clair county in like manner, as far as practicable, as appeals are now or may hereafter, by law, be taken from the decisions of highway commissioners in townships, and the said court is hereby authorized and empowered to hear and determine such appeals.

SEC. 137. Whenever the common council shall determine that the paving of any street, lane or alley, or the doing of any work in exercise of the powers conferred by section one hundred and thirty-five of this act is a necessary public improvement, and that the whole or any part of the expense of such improvement should be borne by the lands and premises benefited by such improvement, they shall, except in cases otherwise provided for in this charter so declare by resolution, and shall also by said resolution determine the estimated costs of such improvement, and the part or portion thereof which shall be defrayed by the city, and the part or portion which shall be defrayed by an assessment upon the lands and premises benefited thereby, and shall also fix by resolution the limits and boundaries of a special assessment district composed of the property that in the judgment of the common council will be benefited by such improvement.

SEC. 138. The city clerk on the passage of the resolution prescribed in the last preceding section shall, as soon as practicable, and without delay, make out an assessment roll in which he shall describe the several lots and parcels of lands situated within the said assessment district, and shall name the owners and occupants thereof, so far as he shall be able to ascertain the same, and he shall in said roll assess to each lot or parcel of land its due proportion of

the total estimated cost of such improvement, according to the benefits to accrue to it therefrom: *Provided*, That in case the assessment is for paving purposes, it shall be made in proportion to the number of feet frontage of the several lots upon the street, lane or alley to be paved.

SEC. 139. When the said roll is completed the city clerk shall give notice by at least two weekly publications in the official newspaper of the city that such assessment has been completed, and will remain on file in his office subject to inspection by any person interested until a time therein named, which shall not be less than two weeks from the time of first publication.

SEC. 140. Said roll shall remain in the said office for the time mentioned in said notice, and be subject to inspection by all persons interested, during which time any person interested may file with said city clerk, in writing, such objections as he may wish to make to said assessment roll, or any assessment thereon.

SEC. 141. At the expiration of the time of which notice has so been given, the city clerk, after making any needed revisions, or correction of said roll, shall annex a certificate thereto that the same has been made out in accordance with the provisions of the charter, and shall thereupon report it to the common council, with such objections as have been filed, thereto.

SEC. 142. The common council, at any regular meeting after the said roll is so reported to them, shall review the same, and severally consider the objections so filed with the city clerk, and may hear any evidence offered in reference to any objections so filed with the clerk, and may refer the said roll back to the city clerk for further revision and corrections, and when all of said objections have been so considered, and the council is satisfied with the said roll, it shall, by resolution confirm the same.

SEC. 143. From and after such resolution and confirmation, the assessments in said roll shall constitute a lien until paid, upon said lots or parcels of land, and a personal charge against the owner or owners thereof.

SEC. 144. After confirmation of any such roll, the city clerk shall annex thereto a certified copy of the resolution of confirmation, and deliver the same to the treasurer in whose office the same shall remain for thirty days. And it shall be the duty of the treasurer to give notice by at least two weekly publications in the official newspaper of the city that the roll has been received by him, and will remain in his office for thirty days from a date named in said notice, during which time the several assessments can be paid without any addition for collection, and that after the

expiration of said thirty days an addition of two per cent will be made to such assessment.

SEC. 145. At the expiration of said thirty days, it shall be the duty of the treasurer to collect the various assessments appearing upon said roll, and remaining unpaid, together with the two per cent additional as his fees for collection, by levy and distress of the goods and chattles of the persons owning any of the premises so assessed, in the manner provided by law in case of levy and sale on personal property by virtue of an execution issued by a court of justice, and in case sufficient personal property cannot be found within the county of St. Clair from which to make the amount of said tax, the said treasurer shall, within fifteen days after the expiration of said thirty days, give notice by publication in the official newspaper of said city, once in each week for four successive weeks, that if such assessments are not paid prior thereto, such real estate will be sold at public auction, at a time and place therein specified in said notice. for the lowest term of years for which any person shall offer to the same in consideration of advancing and paying such assessments, with the two per cent additional and the costs of advertising and sale, and if default is made in such payment, the treasurer shall, at the time stated in such notice, or at such time as the same shall be adjourned to, make sale of the several pieces of real estate to the person or persons who will take the same for the lowest term of years, and make payment of said assessments, percentage and costs: *Provided, however,* That it shall be lawful for the common council to remit in whole or in part, the taxes of such person or persons as may in the judgment of such council, be properly exempted in accordance with the general law in relation to exemption from taxation.

SEC. 146. On making such sale the treasurer shall certify his doings to the common council, and the council shall direct the mayor of the city to issue conveyances to the parties purchasing the several tracts and pieces of land, under the corporation seal, which conveyances, when so made, shall be *prima facie* evidence in all courts and places of the regularity of all proceedings under which such sale was made, and entitle the grantees named therein to have and hold possession of the premises named therein, for the length of time therein named, to the exclusion of all other persons whatsoever.

SEC. 147. The common council may, in its discretion, at the time of determining that any such proposed improvement is necessary, determine by resolution that the cost thereof shall be collected in installments, as follows: One-fourth thereof immediately succeeding the confirmation of the tax-roll, and one-fourth in one year, one-fourth in two

years, and one-fourth in three years respectively, after such confirmation; in which case the city clerk shall so prepare said tax-roll as that the assessment of each of the years shall appear in a separate column; but interest shall be paid by the persons chargeable with such assessments, at the rate of seven per cent. per annum, on all assessments subsequent to the first; *Provided*, That any person may pay any part or the whole of the assessments at any time after confirmation by the council.

SEC. 148. The assessments heretofore made upon property, within the said city of St. Clair, on account of the paving of Front street, Jay street, Laura street, Oakland avenue, and River road are hereby declared to be valid, and binding, and liens to the amount thereof on the several pieces of property assessed, and the tax-roll confirmed by the common council on the Fifteenth day of August, in the year of our Lord one thousand eight hundred and eighty-two, on account of such paving, is in all things legalized, and the assessments shown thereon declared to be valid liens upon the property against which they appear, and the officers of said city are authorized to collect the same at the times mentioned in a resolution of the said council made on the Fifteenth day of August, in the year of our Lord one thousand eight hundred and eighty-two, and at any time hereafter, whenever any special assessment made pursuant to the foregoing provisions, or under any law now existing, shall, in the opinion of the council be invalid, said common council may vacate and set the same aside; and when any such assessment shall be vacated, or shall be held invalid by the judgment or decree of any court of competent jurisdiction, the common council may cause a new special assessment to be made for the purpose of which the original assessment was intended, in the manner provided by this act; and all the provisions of this act making special assessments a lien upon the lots and parcels of real estate embraced therein, and also to those relating to the collection of special assessments shall apply to said re-assessments. In the preparation of any tax-roll in the case of re-assessment, due credit shall be given all persons who shall have paid any portion of the tax as assessed upon the original assessment roll.

SEC. 149. In case it shall occur that the amount originally assessed upon any assessment district was not sufficient to pay in full the costs and expenses of such improvement, including the portion paid by the city, if any, the common council may order a new assessment upon the lands and premises within the special assessment district before determined upon for the purpose of raising such deficiency, and in such case the roll shall be prepared and all proceedings had in the manner above herein provided, and like time shall be given for payment as was given for the origi-

nal assessment.

SEC. 150. Every tax or assessment for public improvements, or for any other purposes, authorized by this act, except as herein otherwise provided, assessed upon any lands, tenements or real estate, or upon the owners or occupants thereof, shall be and remain a lien upon such lands, tenements and real estate, on which, or in respect to which, the same shall be made, from the time of filing the roll containing the same with the city clerk, until the same shall be paid or satisfied.

SEC. 151. Whenever the common council shall deem it expedient to construct any side-walk or pavement, or plank any street within the said city, they may, by ordinance or otherwise, require the owner or occupant of any lot or house adjoining said street, to lay such side-walk, or construct such pavement, or plank such street, to the middle of the said street, in front of his or her lot or house; or they may direct such side-walks and pavements, and such streets to be planked, to be made according to the provisions of this act. The common council may, in like manner, by ordinance or otherwise, under such penalty or penalties as they may prescribe, require the owners and occupants, or either, of land in said city, or in any specified part thereof, to repair, maintain and reconstruct side-walks, pavements and street improvements, adjoining their respective premises, to the middle of the street or alley, in such manner as the common council, by ordinance or otherwise, may direct; the expense to which any occupant or tenant may be thus subjected, may be collected by him from the owner of the premises, unless otherwise agreed, or unless such tenant or occupant be bound to bear such expense by the terms or nature of the agreement, under which he holds the premises.

SEC. 152. Whenever the owner or occupant of any lot or house shall refuse or neglect, within such time as the common council shall have appointed, to conform to any regulation made by the said council for widening streets, or for any other purpose, it shall be lawful for the said common council to cause such regulations to be enforced at the expense of the city, and to recover the amount of such expenses, with damages, at the rate of ten per cent., with costs of suit, from the owner or occupant of such house or lot, whose duty it was to conform to such regulation; or may add thereto ten per cent., and return the same to be assessed and collected in the same manner as the ordinary city taxes are collected, and shall be a lien upon the premises, as any other taxes.

SEC. 153. The common council are authorized to assess the lands of non-residents of said city their just proportion of the expenses of cleaning and repairing streets and side-walks, and removing nuisances, and the said expenses shall

be assessed in the same manner, and the amount so assessed shall be collected in the same manner, and the same proceedings shall be had in case of the non-payment of the same, as in relation to the assessments for public improvements in the city, except as the council may otherwise determine or direct. It shall, in all cases, be the duty of the owner or occupant of every lot or parcel of land in said city, to keep the side-walk adjoining his lot or piece of land in good repair, and also to remove and clear away all snow and ice, and other obstructions from the side-walk. If any owner or occupant, after notice so to do, shall have been posted on the premises, or otherwise given, served or published, as the common council may direct by ordinance, resolution or otherwise, shall fail or neglect so to do, for such time, not less than twenty four hours, as the common council, by a general or special ordinance, resolution or otherwise, may fix, the common council may cause the same to be done at the expense of the city, and may add such expense (not exceeding thirty dollars on any lot or piece of land in any year) to the amount of the general city tax on such land, in the next general assessment rolls of said city, and such amount so added shall be a lien on the premises in the same manner as the tax to which it is added, and may be collected and enforced, and (if not paid or collected) the land sold therefor, in the same manner as if for general city taxes.

SEC. 154. Every person owning or occupying lands or tenements in the said city, and every male inhabitant thereof over the age of twenty-one years and under fifty, except as hereinafter provided, residing in said city, shall be assessed for highway taxes in said city; and the lands and tenements of non-residents, situated in said city, shall be assessed for highway taxes, as hereinafter provided.

SEC. 155. The supervisor of each ward of said city shall, on or before the fifteenth day of May in each year, furnish the common council with a list, subscribed by him, of the names of all the inhabitants of his ward who are liable to be assessed for highway taxes.

SEC. 156. The common council shall, in the month of May in each year, make out from the assessment roll in said city, a separate list and statement of the value of all the taxable personal property, and a description of all lots or parcels of land within each highway district in said city, inserting in a separate part of said list, descriptions of lands and tenements owned by non-residents of the city, with the value of each lot or parcel set down opposite to such description, as the same shall appear on the assessment roll; and if such lot or tract was not separately described in said roll, then in proportion to the valuation which shall have been affixed to the whole tract of which such lot or parcel

forms a part.

SEC. 157. In making the estimate and assessment of highway taxes, the common council shall proceed as follows:

First. Every male inhabitant in each ward, being above the age of twenty-one and under fifty, except paupers, idiots, and lunatics, and other persons exempt by law from taxation for highway purposes, shall be assessed one dollar: *Provided*, Whenever the words fifty cents occur in this section, it shall read one dollar.

Second. The residue of the highway taxes shall be assessed not exceeding thirty cents upon every one hundred dollars of the valuation, shall be apportioned upon the estate, real and personal, of every inhabitant in each highway district in said city, and upon each of the tracts or parcels of land in the respective highway districts of which the owners are non-residents, as the same shall appear from the assessment roll; and the said common council shall have power to appropriate so much of the highway fund annually as they may deem necessary for permanent highway improvements in such part of said city as said council shall determine.

Third. The common council shall affix to the name of each person named in the list furnished by the supervisors and not assessed upon the assessment roll, and also to each valuation of property within the several highway districts, the amount of which such person or property shall be assessed for highway taxes, adding fifty cents to the assessment of each person, between the age of twenty-one and fifty years, liable to such assessment upon the city assessment roll.

SEC. 158. The said tax list shall be made in duplicates, and signed by the mayor, one of which shall be filed with the city clerk and the other shall be put into the hands of the treasurer for collection, who shall, before receiving the same give such security as the common council may require for the faithful discharge of his duties.

SEC. 159. Whenever the said tax list shall have been delivered to the treasurer, with the warrant of the mayor annexed, for collection, he shall give notice and proceed in like manner, as near as may be, to collect said tax, as hereinbefore provided for the collection of the ordinary taxes of said city.

SEC. 160. The taxes assessed and collected in each ward shall be kept separate, and when collected the treasurer shall enter the respective amounts so paid in a book to be kept by him for that purpose, to the credit of the ward from which they were collected.

SEC. 161. The moneys so collected and paid into the

treasury as aforesaid, shall constitute the highway fund of aid ward in said city, and shall be applied as follows:

First. The marshal, as the council shall direct, shall at all times keep the streets, bridges, culverts, or drains of the city in thorough repair and free from obstructions; he shall report on oath, to the common council, once in each month, which report shall contain an accurate statement of the amount of labor performed, and the expense necessarily incurred for material, and the streets upon which the labor was performed, or the expense incurred, and his charges for the same.

Second. The common council shall examine such report, and if satisfied of its correctness, and that the charges therein made are just and reasonable, they shall accept it and order it filed; but if they are not satisfied of its correctness, or of the reasonableness of the charges, they shall refer it to a committee for investigation, or may alter said report as they may think proper, and allow such charges as they shall deem just and equitable; they shall then let such report lay upon the table for one week, and if not withdrawn by the marshal, by filing a notice in writing to that effect, with the city clerk in that time, they shall accept it and order it filed as corrected by them.

Third. When any such report is filed, the clerk shall draw an order on the highway fund of the district in which the repairs were made, and to the amount of such charge in said report, payable to the marshal, which order shall be countersigned by the mayor, and upon presentment, the city treasurer shall pay from the funds of such district, if there be any money in the treasury belonging to such district, and enter the same to the debit of the fund of such district, in a book to be kept by him for that purpose.

Fourth. No money belonging to one ward or district shall be applied in payment for repairs made in another ward or district.

SEC. 162. The book kept by the city treasurer, in which the debts and credits of the highway funds are entered, shall be open at all reasonable hours to the inspection of members of the common council.

SEC. 163 The common council shall have full power to assess and collect of each individual using or being benefited by any public sewer or drain, as follows, to wit: the sum of one dollar and fifty cents annually for each cellar drained, directly or indirectly, by a drain, into any public drain or sewer, which assessment shall be taken to include all other drainage of the premises to which said cellar especially belongs; and the sum of fifty cents annually for each lot or subdivision of lot being without a cellar, drained as aforesaid, into any public drain or sewer; and such

sums as may be fixed by the common council for all establishments requiring an unusual or extraordinary amount of drainage, drained as aforesaid, which sums, when collected, shall constitute the sewer fund, and shall be expended exclusively for the repair and construction of sewers, and the collection of the charges to individuals for drainage in this section provided shall be enforced in such manner as the common council may, by ordinance, direct.

SEC. 164. Whenever any assessments for public improvements, for any local improvements, or expenses upon any ward, street, lane, alley, public sewer, or other improvement, shall have been made as in this act provided, and the tax roll for the same shall have been delivered to the treasurer for collection, the same shall be a lien upon the premises upon which the same was assessed, and the treasurer collecting such tax shall levy and collect the same of any personal property found, belonging to the person chargeable with such tax, whether mortgaged or not; and in case sufficient personal property shall not be found to levy and collect the same, the treasurer shall make return to the city clerk of the sums so remaining uncollected by him, with a description of the lots or parcels upon which such tax was assessed and which remains unpaid, as aforesaid; and thereupon the city clerk shall report the same to the mayor, who shall assess the same upon his assessment and tax roll upon such premises, and the same shall be thereupon collected and returned, and the same proceedings had for the collection and return thereof, and for the sale of such premises for the non-payment of such tax, as is provided by law for the collection, return and sale of premises for non-payment of the ordinary city taxes.

SEC. 165. When the treasurer shall have levied upon any personal property for the non-payment of any tax or assessment, in this act provided, he shall proceed to advertise and sell the same in the same manner, and upon like notice, as required by law in the levy and sale of personal property for non-payment of taxes by township treasurers.

SEC. 166. For the purpose of guarding against the calamities of fire, the common council may, from time to time, by ordinance, designate such portions and parts, of the said city as they shall think proper within which no buildings of wood shall be erected, and may regulate and direct the erection of buildings within such portions and parts, and the size and materials thereof, and the size of the chimneys therein; and every person who shall violate any such ordinance or regulation shall forfeit to the city the sum of one hundred dollars, and every building erected contrary to such ordinance is hereby declared to be a common nuisance, and may be abated and removed by such common council.

SEC. 167. The common council may, by ordinance, require owners and occupants of houses and other buildings, to have scuttles on the roofs of such houses and buildings, and stairs or ladders leading to the same; and whenever any penalty shall have been recovered against the owner, or occupant of any house or other building for not complying with such ordinance, the common council may, at the expiration of twenty days after such recovery, cause such scuttles and stairs, or ladders, to be constructed, and may recover the expenses thereof, with ten per cent. in addition, of the owner or occupant, whose duty it was to comply with the ordinance.

SEC. 168. The common council may, by ordinance, require the inhabitants of the city to provide such and so many fire-buckets for each house or tenement therein, and within such time as they shall prescribe, and may require such buckets to be produced at every fire.

SEC. 169. The common council may regulate and direct the construction of safe deposits for ashes, and may compel the clearing of chimneys, flues, stove-pipes, and all other conductors of smoke, and upon neglect of the owner or occupant of any house, tenement or building of any description, having therein any chimneys, flues, stove-pipes or other conductors of smoke, to clean the same, as shall have been directed by any ordinance, the common council may cause the same to be cleansed, and may collect the expenses thereof and ten per cent. in addition, from the owner or occupant whose duty it was to have the same cleaned.

SEC. 170. The common council may regulate the use of lights and candles in livery stables, and other buildings in which combustible articles may be deposited, and may prescribe the use of lanterns or safety lamps in such buildings, and may regulate the transporting, keeping and deposit of gunpowder, or other dangerous or combustible materials, and may prevent or regulate the carrying on of manufactories dangerous in causing or promoting fires, and may authorize and direct the removal of any hearth, fire-place, stove-pipe, flue, chimney or other conductor of smoke, or any other apparatus or device in which any fire may be used, or to which fire may be applied, that shall be considered dangerous, and liable to cause and promote fires, and generally may adopt such other regulations for the prevention and suppression of fires as they may deem necessary.

SEC. 171. For the purpose of enforcing such regulations, the common council may authorize any of the officers of the said city, and may appoint persons at reasonable times, to enter into and examine all dwelling houses, buildings and tenements of every description, and all lots, yards and enclosures, and to cause such as are dangerous to be put in

a safe condition, and may authorize such officers and persons to inspect all hearths, fire-places, stoves, pipes, flues, chimneys or other conductors of smoke, to any apparatus or device in which fire may be used, or to which fire may be applied, and remove and make the same safe, at the expense of the owners or occupants of the buildings in which the same may be, and to ascertain the number and condition of the fire-buckets, and the situation of any building in respect to its exposure to fire, and whether scuttles and ladders thereto have been provided, and generally with such powers and duties as the common council shall deem necessary to guard the city from the calamities of fire.

SEC. 172. The common council may procure, own, build, erect and keep in repair such and so many fire-engines, with their hose and other apparatus, engine-houses, ladders, fire-hooks and fire-buckets, and other implements and conveniences for the extinguishment of fires and to prevent injuries by fire, and such and so many public cisterns, wells, reservoirs of water, as they from time to time shall judge necessary.

SEC. 173. The common council shall have power to organize said city into so many fire districts as they may deem necessary, and may organize and maintain a fire department for said city, to consist of one chief engineer, two assistant engineers, twice as many wardens as there are wards in the city, a proper number of firemen, not exceeding fifty to each engine, such number of hook and ladder men, and such number of tub and hose men, as may be appointed by the common council, all to have privileges and exemptions of firemen, and to hold their appointment during the pleasure of the common council.

SEC. 174. The common council may make rules and regulations for the government of the said engineers, wardens, firemen, hook and ladder men, and tub and hose men; may prescribe their respective duties in case of fire or alarms of fire; may direct the dresses and badges of authority to be worn by them; may prescribe and regulate the time and manner of their exercise, and may impose reasonable fines for the breach of any such regulations.

SEC. 175. The engineers and fire wardens, under the direction of the common council, shall have the custody and general superintendence of the fire engines, engine-houses, hooks, ladders, hose, public cisterns, and other conveniences for the extinguishment and prevention of fires, and it shall be their duty to see that the same are kept in order, and to see that the laws and ordinances relative to the prevention and extinguishment of fires are duly executed, and to make detailed and particular reports of the state of their department, and of the conduct of the firemen, hook

and ladder men, tub and hose men, to the common council; at stated periods, to be prescribed by the common council, and to make such reports to the mayor whenever required by him. The certificate of the city clerk that a person is or has been a fireman, shall be evidence of the facts in all courts and places, on proof of the genuineness of such certificate.

SEC. 176. The common council may, by ordinance, direct the manner in which the bells of the city shall be tolled or rung in cases of fire or alarms of fire, and impose penalties for ringing or tolling of such bells in such manner at any other time than during a fire or alarm of fire.

SEC. 177. The common council may provide suitable compensation for any injury that any fireman, hook and ladder man, or tub and hose man, may receive, in his person or property, in consequence of his exertions at any fire.

SEC. 178. The common council may, by ordinance—

First. Prescribe the duties and powers of the engineers and wardens at fires, and in cases of alarms of fire, and may vest in them such powers as shall be deemed necessary to preserve property from being stolen, and to extinguish and prevent fires.

Second. To prescribe the powers and duties of the mayor and aldermen at such fires, and in cases of alarms; but in no case shall the mayor or any alderman control or direct the chief or his assistants during any fire.

Third. Provide for the removal or keeping away from such fires all idle, disorderly and suspicious persons, and may confer powers for that purpose on engineers, fire-wardens or officers of the city.

Fourth. Provide for compelling persons to bring their fire buckets to any place of fire, and to aid in extinguishment thereof by forming lines or ranks for the purpose of carrying water, and by all proper means to aid in the preservation, removal and securing of property exposed to damage by fire.

Fifth. To compel the marshal, constables and watchmen of the city to be present at such fires, and to perform such duties as the said common council shall prescribe.

SEC. 179. Whenever any person shall refuse to obey any lawful order of any engineer, fire-warden, mayor or alderman, at any fire, it shall be lawful for the officer giving such order to arrest, or to direct orally any constable, watchman, or any citizen, to arrest such person and confine him temporarily in a safe place until such fire shall be extinguished, and in the same manner such officers, or any of them, may arrest or direct the arrest and confinement of any person at such fire, who shall be intoxicated or disorderly.

SEC. 180. Whenever any building in said city shall be on fire, it shall be the duty and be lawful for the chief engineer, with the consent of the mayor or any alderman, or any two aldermen, to order and direct such building, or any other building which they may deem hazardous and likely to communicate fire to other buildings, or any part of said building, to be pulled down and destroyed, and no action shall be maintained against any person or against the said city therefor; but any person interested in any such building so destroyed or injured, may within three months thereafter, apply to the common council to assess and pay the damages he has sustained. At the expiration of the three months, if any such application shall have been made in writing, the common council shall either pay to the said claimant such sum as shall be agreed upon by them and the claimant for such damages, or if no such agreement shall be effected, shall proceed to ascertain the amount of such damages, and shall provide for the appraisal, assessment, collection and payment of the same in the same manner as is provided by this act for the ascertainment, assessment, collection and payment of damages sustained by the taking of lands for purposes of public improvement.

SEC. 181. The commissioners appointed to appraise and assess the damages incurred by the said claimant by the pulling down or destruction of such building by the direction of the said officers of the city, as above provided, shall take into account the probabilities of the same having been destroyed or injured by fire if it had not been so pulled down and destroyed, and may report that no damage should be equitably allowed to such claimant. Whenever a report shall be made and finally confirmed in the said premises and proceedings for appraising and assessing the damages, a compliance with the terms thereof by the common council shall be deemed a full satisfaction of all said damages of the said claimant.

SEC. 182. The director of the poor elected in said city, as hereinbefore provided, shall possess all the powers and authority of directors of the poor of towns in this State, in relation to the support and relief of indigent persons, the binding out of children who shall solicit alms, or who, or whose parents shall become chargeable to the said city, or to the county of St. Clair, in said city; the safe keeping and care of lunatics; the care of habitual drunkards; the binding out, contracting for the services of disorderly persons; the support of bastards; and all such other powers as are conferred on directors of the poor in the respective towns, and shall be subject to the same duties, obligations and liabilities.

SEC. 183. Until provisions shall otherwise be made, as hereinafter authorized, the indigent persons, and such oth-

ers as shall be entitled to relief under the laws of this State, who are or shall become chargeable to the said city, being in the said city, shall continue to be supported and relieved in the manner provided by law in respect to the county of St. Clair.

SEC. 184. All money that shall be raised in the city by licenses to groceries, tavern-keepers or common victualers, and for penalties for the violation of any city ordinances regulating the retailing of any spirituous liquors, shall be paid into the city treasury, and shall belong to and constitute a part of the fund of the city for the support of poor therein, and shall be deposited for safe keeping by the treasurer, as other moneys under his care; and accounts thereof shall be kept, and the same shall be drawn in the manner hereinbefore prescribed in relation to the funds of said city.

SEC. 185. The jurisdiction of the justices' courts of said city shall extend to, and said courts shall have original jurisdiction, and shall have power to hear, try and determine all civil actions arising in said city, wherein said city, in its corporate capacity, shall be a party, or any city or ward officer, in his official character, shall be a party; all charges, complaints, actions and prosecutions for the recovery of any and all forfeitures and penalties for alleged violations or infringements of the acts of the Legislature of this State, incorporating said city, except in cases where jurisdiction is especially given to some other court; all actions for alleged breaches or violations of any of the by-laws, ordinances or regulations of said city, except in cases where, by such by-laws or ordinances, jurisdiction is especially given to some other court, and all actions for encroachments upon or injury to any of the streets, lanes, alleys, bridges, parks, buildings, trees, fences, gates, or any other private or public improvements within said city, which courts shall proceed according to and be governed by the general laws and rules of practice of this State, applicable to the courts of justices of the peace.

SEC. 186. The justices' courts in said city shall have power to imprison in the jail of the county of St. Clair, and it is hereby made the duty of the keeper of said jail to receive such persons as are brought to his custody by authority of any said justices of said city, or of any officer of said city authorized so to commit such persons, in the same manner as any court of record of this State, or other competent authority, is authorized to commit to said jail.

SEC. 187. The justices of the peace of said city exercising civil jurisdiction shall be deemed justices of the peace of the county of St. Clair, and shall be subject to the general laws of the State in relation to civil causes, before justices of the peace, and appeals from their judgments may be made to the circuit court for the county of St. Clair, in the

same manner as appeals from justices' judgments in towns are made.

SEC. 188. The justices of the peace of the said city shall have all the authority of justices of the peace in townships in criminal matters, and shall have all the authority, and perform all the duties hereinbefore provided and required of them, as police justices of said city, and shall hold a session of court daily, if necessary.

SEC. 189. All suits which shall be brought to recover any penalty or forfeiture for the violation of any ordinance, by-law or resolution of the common council of said city, shall be brought in the name of the city of St. Clair, and no person being an inhabitant, freeman or freeholder of the said city, shall be disqualified for that, from acting as a judge, justice or juror in the trial or other proceeding in any suit brought to recover any penalty or forfeiture for the violation of any provision of this act, or for the violation of any by-law or ordinance of the common council, nor from serving any process, summoning a jury in such suit, or from acting in any such capacity, or being a witness on the trial of any such issue, or upon the taking or making any inquisition or assessment, or any judicial investigation of facts, to which issue, inquest or investigation, the said city or any city or ward officer, is a party, or in which said city or such officer is interested; nor shall any judge of any court be disqualified to hear and adjudicate on an appeal in any matter originating in said city, because he is an inhabitant thereof.

SEC. 190. If any judgment in any action shall be rendered against the city by any justice of the peace, such judgment may be removed, by appeal, to the circuit court for the county of St. Clair, in the same manner, and with the same effect, as though the city were a natural person, except that no bond or recognizance to the adverse party shall be necessary to be executed by or on behalf of the said city.

SEC. 191. Every execution for any penalty or forfeiture recovered for the violation of any of the provisions of this act, or for the violation of any by-law or ordinance passed or made by the common council of said city, such execution may be issued immediately after the rendition of judgment, and shall command the amount to be made of the property of the defendant or defendants, if any such property can be found, if not, then to commit the defendant or defendants to the county jail for such time as shall have been fixed by the ordinance or by-laws thus violated.

SEC. 192. It shall be the duty of said justices to keep two dockets, one of which shall be kept as a city or police docket, in which shall be entered all suits arising from the

violation of any of the by-laws or ordinances of said city, which dockets shall be furnished by and be the public property of said city, and it shall be the duty of said justices to deliver over said dockets, together with all papers belonging thereto, to their successor or successors in office, as in other cases required by law.

SEC. 193. In all trials before any justice of the peace of said city, against any person or persons charged with a violation of any by-law or ordinance of said city, the accused may (upon the payment of one dollar and fifty cents to the justice before whom the trial is pending) have a jury, and the proceedings for empanneling a jury shall be in conformity, as near as may be, as is provided by statute for empanneling jurors before justices in criminal cases: *Provided*, That if no jury be demanded, the justice, in his discretion, (when the nature of the case demands,) may order a jury to try and determine the cause, and in all cases, civil and criminal, the right of appeal from the justices' court to the circuit court for the county of St. Clair shall be allowed, and the party appealing shall conform to all the proceedings and requirements as are required in appealing from justices of the peace in townships, except as hereinbefore provided.

SEC. 194. The common council may direct any moneys that may have been recovered for penalties or forfeitures under this act, or any ordinance or by-law made by the common council of said city, to be applied to the payment of any extra expenses that may have been incurred in apprehending offenders, or in subpœnaing or defraying the expenses of witnesses in any suit for such penalties or forfeitures, or in the conducting such suit.

SEC. 195. All persons being habitual drunkards, destitute and without any visible means of support, or who being such habitual drunkards, shall abandon, neglect or refuse to aid in the support of their families, all able-bodied and sturdy beggars who may apply for alms or solicit charity, all persons wandering abroad, lodging in watch-houses, out-houses, market places, sheds, stables, barns, or uninhabited dwellings, or in the open air, and not giving a good account of themselves, all common brawlers and disturbers of the public quiet, all persons wandering abroad and begging, or who go about from door to door, or place themselves in the streets, highways, passages or other public places, or beg and receive alms within the said city, shall be deemed vagrants, and may, upon conviction of any of the foregoing offences before any justice of the peace of said city, be sentenced to confinement in the county jail of the county of St. Clair for any time not exceeding ninety days.

SEC. 196. All persons who have actually abandoned their wives or children (or both) within the city of St. Clair,

or may neglect to provide, according to their means, for their wives and children, or either, are hereby declared to be disorderly persons within the meaning of chapter thirty-nine of title nine, of the revised statutes of eighteen hundred and forty-six, and may be proceeded against as such, in the manner directed by said title; and it shall be the duty of the magistrate before whom any such person may be brought for examination to judge and determine, from the facts and circumstances of the case, whether the conduct of such person amounts to such desertion or neglect to provide for his wife or children, or either.

SEC. 197. It shall be the duty of the common council of said city to appoint a board of health once in each year for said city, to consist of not less than three nor more than seven persons, and a competent physician to be health officer thereof.

SEC. 198. The said board of health shall have power, and it shall be their duty, to take measures as they shall deem effectual to prevent the entrance of any pestilential or infectious disease into said city; to stop, detain and examine, for that purpose, every person coming from any place infected or believed to be infected, with such disease; to establish, maintain and regulate a pest house or hospital at some place within the city, or not exceeding three miles beyond its bounds, to cause any person not being a resident of the city, or if a resident of the city who is not an inhabitant of this State, and who shall be, or be suspected of being infected with any such disease, to be removed to such pest-house or hospital; to cause any resident of the city, infected with any such disease, to be sent to such pest house or hospital; to cause any resident of the city, infected with any such disease, to be removed to such pest-house or hospital, if the health physician and two other physicians of the city, including the attending physician of the sick person, if he have one, shall certify that the removal of such resident is necessary for the preservation of the public health; to remove from the city or destroy, any furniture, wearing apparel, goods, wares or merchandise, or other articles or property of any kind which shall be suspected of being tainted or infected with any pestilence, or which shall be or be likely to pass into such a state as to generate and propagate disease; to abate all nuisances of every description which are or may be injurious to the public health, in any way and in any manner they may deem expedient; and from time to time do all acts, make all regulations, and pass all ordinances, which they shall deem necessary or expedient for the preservation of the health of said city and the suppression of disease, and to carry into effect and execute the powers hereby granted.

SEC. 199. The owner, driver, conductor or person in

charge of any stage-coach, railroad car, or other public conveyance, which shall enter the city, having on board any person sick of a malignant fever or pestilential or infectious disease, shall, within two hours after the arrival of such sick person, report, in writing, the fact, with the name of such person, and the house or place where he was put down in the city, to the mayor or some member or officer of the board of health; and any and every neglect to comply with these provisions, or any of them, shall be a misdemeanor, punishable with fine or imprisonment, or both, in the discretion of the court.

SEC. 200. Any person who shall knowingly bring or procure, or cause to be brought within the city any property of any kind, tainted or infected with any malignant fever, or pestilential, infectious disease, shall be guilty of a misdemeanor, punishable by fine or imprisonment, or both, in the discretion of the court.

SEC. 201. Every keeper of an inn or boarding-house, or lodging-house in said city, who shall have in his or her house at any time, any sick traveler, boatman or sailor, shall report the fact, and the name of the person, in writing, within six hours after he come to the house or was taken sick therein, to the mayor or some officer or member of the board of health; every physician in the city shall report, under his hand, to one of the officers above named, the name, residence and disease of every patient whom he shall have sick of any infectious or pestilential disease, within six hours after he shall have visited such patient. A violation of either of the provisions of this section, or of the two preceding sections, shall be a misdemeanor, punishable by fine or imprisonment, or both, the fine not to exceed one hundred dollars nor the imprisonment three months.

SEC. 202. All fines imposed under the last five sections shall belong to said city, and when collected shall be paid into the treasury of said city, and be devoted to the maintenance and support of the pest house, or of any hospital that may hereafter be established by the city, unless otherwise provided by ordinance of the common council of said city.

SEC. 203. The common council shall have power to pass and enact such by-laws and ordinances as they from time to time shall deem necessary and proper, for the filling up, draining, cleansing, cleaning and regulating any grounds, yards, basins, slips or cellars, within the said city, that shall be sunken, damp, foul, encumbered with filth and rubbish, or unwholesome, and for filling or altering, and amending all sinks and privies within said city, and for directing the mode of constructing them in future, and cause all such work as may be necessary for the purpose aforesaid, and for the preservation of the public health, and the cleanliness

of said city, to be executed and done at the expense of the city corporation, on account of the persons respectively upon whom the same may be assessed, and for that purpose to cause the expenses thereof to be estimated, assessed and collected, and the lands charged therewith, to be sold in case of non-payment, in the same manner as is provided by law with respect to other public improvements within said city; and in all cases where the said by-laws or ordinances shall require anything to be done in respect to the property of several persons, the expenses thereof may be included in one assessment, and the several houses and lots in respect to which such expenses shall have been incurred, shall be briefly described, in the manner required by law, in the assessment roll for the general expenses of the said city, and the sum of money assessed to each owner or occupant of any such house or lot shall be the amount of money expended in making such improvement upon such premises, together with a ratable proportion of the expenses of assessing and collecting the moneys expended in making such improvements.

SEC. 204. Whenever, in the opinion of the common council, any building, fence, or other erection of any kind, or part thereof, is liable to fall down, and persons or property may thereby be endangered, they may order any owner or occupant of the premises on which such building, fence, or other erection stands, to take down the same, or any part thereof, within a reasonable time, to be fixed by the order, or immediately, as the case may require; or may immediately, in case the order is not complied with, cause the same to be taken down at the expense of the city, on account of the owner of the premises, and assess the same on the land on which it stood. The order, if not immediate in its terms, may be served on any occupant of the premises, or be published in the city paper, as the common council shall direct.

SEC. 205. The said board of health shall have power to appoint a clerk, whose duty it shall be to attend the meetings thereof, and to keep a record of its proceedings; and such record, or a duly certified copy of the same, or of any part thereof, shall be *prima facie* evidence of the facts therein contained, in any court or before any officer. The compensation of the clerk of said board of health shall be fixed by said board of health, by and with the consent of the common council, and such compensation shall be paid in the same manner as the other expenses of said board.

SEC. 206. The members of said board of health shall receive such compensation for their services as the common council shall deem reasonable, to be paid from the general contingent fund of said city.

SEC. 207. The common council, or the mayor or other

officer whose duty it shall be to judge of the sufficiency of the proposed sureties of any officer of whom a bond or instrument in writing may be required, under the provisions of this act, shall examine into the sufficiency of such sureties, and shall require them to submit to an examination, under oath, as to their property; such oath may be administered by the mayor or any alderman of said city; the disposition of the surety shall be reduced to writing, be signed by him, and certified by the person taking the same, and annexed to and filed with the bond or instrument in writing, to which it relates.

SEC. 208. The mayor, or chairman of any committee, or special committee of the common council, shall have power to administer any oath, or take any affidavit, in respect to any matter pending before the common council or such committee.

SEC. 209. Any person who may be required to take any oath or affirmation under or by any provisions of this act, who shall, under such oath or affirmation, in any statement or affidavit, or otherwise, willfully swear falsely, as to any material fact or matter, shall be guilty of perjury.

SEC. 210. If any suit shall be commenced against any person elected or appointed under this act to any office, for any act done or omitted to be done, under such election or appointment, or against any person having done any thing or act by the command of any such officer, and if final judgment be rendered in such suit, whereby any such defendant shall be entitled to costs, he shall receive double costs in the manner defined by law.

SEC. 211. All process issued against said city shall run against said city in the corporate name thereof, and such process shall be served by leaving a true and attested copy of such process with the mayor or clerk of said city, at least ten days before the day of appearance mentioned therein.

SEC. 212. All former acts and parts of acts relating to the city of St. Clair, not expressly embodied in or made part of this act, are hereby repealed; but nothing herein contained shall be construed to destroy, impair or take away any right or remedy acquired, or given by any act hereby repealed; and all proceeding commenced under such former acts shall be carried out and completed, and all prosecutions for any offense committed, or penalty or forfeiture incurred, shall be enforced in the same manner, in all respects, and with the same effect as if this act had not been passed; and nothing in this section contained shall be so construed as to annul, or impair, or affect any ordinance, by-law or resolution of said city, not inconsistent with the

provisions of this act, but the same shall continue and be in force until the same are amended or repealed, as fully as though this act had not been enacted.

SEC. 213. In all cases of proceedings to recover the possession of land, as provided in chapter one hundred and fifty of the compiled laws of this State, the justices of the peace in and for said city, concurrently with the circuit court commissioners of the county of St. Clair, shall have jurisdiction; and said justices are hereby authorized and empowered, in all cases mentioned and set forth in said chapter one hundred and fifty of said compiled laws, arising, occurring and being within the said city of St. Clair, to receive complaints, issue process, hear, try and determine the same, in like manner, with like proceedings, and to the same extent as is provided to recover the possession of land in the cases mentioned and set forth in said chapter; and the general laws of this State made applicable to proceedings to recover the possession of land in cases of forcible entries and detainers, and summary proceedings to recover the possession of land in other cases, as provided in said chapter one hundred and fifty of the compiled laws of this State, and the amendments thereto, shall apply to proceedings in justices' courts in this city, in like cases.

SEC. 214. This act shall be deemed a public act, and shall be favorably construed for all purposes therein intended.

SEC. 215. This act shall take immediate effect.

SEC. 216. The said common council shall have power to divide said city into one or more highway districts by resolution to that effect duly entered upon their records. Also making the highway fund a city fund for highway purposes.

SEC. 217. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 218. Whenever the common council, a majority of the members elect concurring, shall deem it necessary to raise money or issue bonds for local improvements or other purposes, they may call a meeting of the electors of said city, by giving at least five days notice of the same, by publication in one or more newspapers published in said city, and by posting the same in three public places in each ward of said city, which shall state the time and place of said meeting, the purposes for which the money is to be raised and expended, and the amount thereof, respectively, for each purpose; and when such electors shall be assembled, in pursuance to such notice they shall determine by a *viva voce* vote what amount of money shall be raised for

each object as specified in the notice, and the manner in which the same shall be raised, to-wit: whether by an immediate tax or by issuing bonds: *Provided*, That such tax so voted, or bonds issued, shall never, at any time, with all bonds heretofore issued by said city, exceed in amount ten per cent of the assessed valuation of the taxable property in said city, as ascertained by the assessor of said city, and certified to by him: *Provided also*, That not more than two of such meetings shall be held in any one year, and that at all such meetings the Mayor, or in his absence any member of the common council present at such meeting, shall preside; and that the recorder or clerk of said city shall make and keep a record of the proceedings of such meeting.

SEC. 219. Whenever the common council shall be authorized by a vote of the electors of said city to raise a tax or issue bonds for local improvements or other purposes, it shall be the duty of the proper officers in said city to assess, levy, and collect the amount that may from time to time be required to pay for such tax as aforesaid, or for bonds issued, and for the payment of both principal and interest on such bonds, and to pay the amount to the holders of said bonds or coupons, as the case may be, as fast as the same shall become due and payable, according to the terms of said bonds or coupons, the same to be assessed and collected as all other taxes in said city of St. Clair, and to be a lien on all property, in like manner as other taxes.

SEC. 220. The said city of St. Clair shall have authority to construct and maintain water works for the introduction of water into the city, and supplying the city and the inhabitants thereof with pure and wholesome water for the extinguishment of fires, the ordinary and extraordinary uses for dwellings, stores, shops, hotels, factories, manufacturing establishments, mills, public buildings, yards, streets, livery stables, barns, and all other buildings, and establishments, and for such other purposes as the common council may prescribe.

SEC. 221. The said city may acquire, purchase, erect, and maintain such reservoirs, canals, aqueducts, sluices, buildings, engines, water wheels, pumps, hydraulics, machines, distributing pipes, and other apparatus, appurtenances, and machinery, and may acquire, purchase, appropriate, and own such grounds, real estate, rights, and privileges as may be necessary and proper for the construction and maintenance of such water works.

SEC. 222. It shall be lawful for said city, subject to the provisions contained in its said charter, to borrow any sum of money to be used exclusively for the purpose of constructing and maintaining water works as provided in the

two preceding sections: *Provided*, That the total sum borrowed and raised by tax the first year shall not exceed five per cent. of the assessed valuation of the city as contained in the last preceding assessment roll of the same: *And provided*, That not more than two and one-half per cent. shall be borrowed during any one year thereafter, and the rate of interest shall not exceed seven per cent. upon any indebtedness, contracted under the provisions of said charter. The common council shall have the power to fix the time and place of payment of the principal and interest voted under the provisions of this act, and to issue the bonds or other evidence of indebtedness of the city.

SEC. 223. Before any money shall be borrowed, appropriated, raised or expended for the construction of water works in the city; the common council shall cause to be made an estimate of the expense thereof, and the question of raising the amount required for such purpose shall be submitted to the electors of the city at its annual election, or at a special election called for that purpose by the common council, and shall be determined as a majority of the electors voting at such election by ballot shall decide.

SEC. 224. It shall be lawful for the common council by the passage of proper ordinances, to provide for the appointment of a commission or board consisting of three members, to be known as the "Board of Water Commissioners," of such city, the term of at least one member of which board shall expire yearly, to take the charge and management of such water works, in the manner and to the extent which shall be provided in the ordinances of the city.

SEC. 225. The connecting of supplying pipes leading from buildings or yards to the distributing pipes, shall be inserted and kept in repair at the expense of the owner or occupant of the building or yard, and shall not be inserted or connected with the main pipe until a permit therefor shall be obtained from the common council or such other authority as may be prescribed by ordinance. All such connecting or supply pipes shall be constructed and connected in the manner prescribed by ordinance, unless authority be given to the board of water commissioners to prescribe the manner of the construction and connecting thereof, in which case it shall be done as they may prescribe and direct.

SEC. 226. The common council, or the board of water commissioners, if authority be given them by ordinance for that purpose, shall establish a scale of rents to be charged and paid for supply of water to be called "water rents," and appropriated to different classes of buildings in the city, with reference to their dimensions,

value, exposure to fires, ordinary or extraordinary uses, for dwellings, stores, shops, hotels, factories, livery stables, barns, and all other buildings, establishments, and trades, yards, number of families or occupants, or consumption of water as near as may be practicable, and from time to time either modify, amend, increase or diminish such rents, and the common council may prescribe by ordinance when and to whom such water rents shall be paid, and what steps shall be taken to enforce payment thereof, and may provide in case of non-payment that the supply of water be shut off, or stopped, as to any person or persons neglecting or refusing to make such payments.

SEC. 227. The common council may enact such ordinances as may be necessary for the care, protection, preservation, and control of the water-works, and all the fixtures, appurtenances, apparatus, buildings and machinery connected therewith, or belonging thereto, and to carry into effect the provisions of this act, and the powers herein conferred in respect to the management and control of such water works.

SEC. 228. When the common council shall deem it for the public interest, such water works may be erected and maintained beyond the corporate limits of the city; and in such case the common council shall have authority to enforce beyond the corporate limits of the city within the said county of St. Clair, and over the buildings, machinery, and other property belonging to and connected with such water works, in the same manner, and to the same extent as if they or it were within the city, all such ordinances and police regulations as may be necessary for the care, protection, preservation, management, and control thereof.

SEC. 229. For the purpose of constructing and maintaining such water works, the city shall have the right to use the ground or soil under any street, highway, or road within the county, for the purpose of introducing water into and through any and all portions of the city, on condition that it shall cause the surface of such street, highway, or road to be relaid and restored to its usual state, and any damage done thereto to be restored and repaired, and such right shall be continuous for the purpose of repairing and relaying water pipes upon like condition.

SEC. 230. If it shall be necessary in the judgment of the common council to appropriate private property for the construction, erection, and maintenance of water works as provided in this act, the right to occupy and hold the same, and the ownership therein and thereto may be acquired by the city in the same manner and with like effect as provided by the general laws of this State for the taking of private property for public use.

ORDINANCES.

AN ORDINANCE PRESCRIBING THE DUTIES OF THE CITY ATTORNEY.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. It shall be the duty of the city attorney when required by the common council, to draft all ordinances, deeds, bonds, contracts and documents of whatever kind to be made or done by and between the city of St. Clair, and any person or persons contracting with the said city in its corporate capacity, and which the said city is to be at the expense of drawing; he shall prosecute all actions, suits and prosecutions in behalf of the city, in any court in this State; he shall institute and carry on all prosecutions for the recovery of all fines, penalties and forfeitures, which may occur for the violation of any ordinance of said city; he shall defend all manner of actions brought against said city, or any officer thereof in his official capacity, before any court in this State, and shall do all and every other professional act incident to his said office, and shall make report of all and every one of his official acts to the common council of said city, whenever required by them so to do.

AN ORDINANCE PRESCRIBING THE DUTIES OF THE CITY CLERK.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. The city clerk shall keep an account and correct journal of all the proceedings of the common council, and he shall file and carefully preserve all papers and documents connected with such proceedings.

SEC. 2. It shall be the duty of the city clerk to keep an accurate account of all matters in which said city may be interested; and whenever any officer of said city shall be authorized to receive or demand from the city clerk any account, bond, assessment roll or any paper or document whatever, the city clerk shall enter the same in a book to be kept for that purpose, and take the receipt of such officer therefor.

SEC. 3. It shall be the duty of the city clerk to procure all necessary books and stationery for the use of the common council, and when required report to the common council the amount by him expended relative to all matters pertaining to the duties of his office.

AN ORDINANCE PRESCRIBING THE DUTIES OF THE CITY MARSHAL.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. It shall be the duty of the marshal to notice all infractions and violations of the laws and ordinances of the city, and make complaint thereof, forthwith to the city attorney.

AN ORDINANCE PRESCRIBING THE DUTIES OF THE CITY TREASURER.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. It shall be the duty of the treasurer to receive and safely keep all moneys of the corporation of said city, from whatever source they may arise or become due; he shall keep the accounts of the moneys raised from special taxes, separate and distinct from moneys received from general taxes, licenses, fines, and other sources, and not apply the money of one fund to discharge any claim upon the other unless by special order of the common council.

SEC. 2. It shall be the duty of the treasurer to pay out of the proper fund the amount of all orders drawn upon him by the city clerk, countersigned by the mayor of said city, and then cancel said order by endorsing thereon the time of payment, and then filing the same in his office.

SEC. 3. The treasurer shall keep just and true accounts of all moneys received by him, in books to be by him provided, and shall once in each year, and oftener if required by the common council, make and deliver to the common council just and true accounts of his receipts and payments since the last report containing statements of the balances in the city treasury, and shall at all times submit his books, papers and accounts to the mayor, common council or any committee of the common council.

SEC. 4. It shall be the duty of the city clerk upon the filing of said accounts to compare the same, with the several accounts to which it refers, and if he discovers any errors therein, to report the same to the common council.

AN ORDINANCE RELATIVE TO THE OBSTRUCTION OF PINE RIVER.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. No person or persons shall be authorized or allowed to place any boom or booms across Pine river, or any other obstructions to the navigation of said river, within the limits of said city at any point on said river, between the mouth thereof and the upper end of the part navigated.

SEC. 2. Be it further ordained that any person or persons who shall violate the provisions of the preceding section shall for each offense on conviction before any justice of the peace of said city, be punished by a fine not exceeding twenty-five dollars or imprisonment in the county jail for a period not exceeding sixty days, or both such fine and imprisonment at the discretion of the court, together with costs of prosecution.

AN ORDINANCE RELATIVE TO THE EXPOSING AND SELLING
OF GOODS, WARES AND MERCHANDISE AT AUCTION
IN THE CITY OF ST. CLAIR.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. All or any person or persons not residents of said city who shall sell therein, goods, wares and merchandise, or any personal property at public auction, shall pay a license for the use of said city the sum of four dollars for each and every day or part of a day he is engaged in any such auction sales.

SEC. 2. Be it further ordained that it shall be the duty of the marshal of said city to notify any person or persons coming into said city for the purpose of engaging in such auction sales of the license so required by the preceding section of this ordinance, and to collect from such person or persons the amount of the license so required for such number of days as shall be employed in such auction sales.

SEC. 3. Be it further ordained that any person who shall receive the notice contemplated in this ordinance, and who shall engage in such auction and neglect or refuse to pay such license in manner as aforesaid, shall for each offence, on conviction before any justice of the peace of said city, be punished by a fine not exceeding twelve dollars or imprisonment in the county jail for a period not exceeding thirty days, or both such fine and imprisonment in the discretion of the court, together with costs of prosecution.

AN ORDINANCE TO PREVENT NUISANCES.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. If any person or persons within the boundary of the said city shall permit or suffer on his, her or their premises, of which he, she or they may be the occupant or occupants, either by exercising any unwholesome or offensive trade or calling, or by permitting any building sewer or other thing whatsoever to remain on the premises of which he, she or they shall be owner or occupant or occupants, until by offensive or ill stench, or otherwise, they or any of them shall become offensive, hurtful or dangerous

to the neighborhood or travelers; it shall be the duty of the marshal of said city to give notice to such person or persons to remove such nuisances forthwith, and if the owner or owners, occupant or occupants of premises on which such nuisance shall be situate, shall neglect or refuse to remove the same for the space of twenty four hours after such notice shall have been given, he, she or they, on conviction thereof, shall be liable to pay a fine not exceeding five dollars for each day he, she or they shall have permitted such nuisance to remain after notice as aforesaid.

SEC. 2. If any person or persons shall after notice as aforesaid, permit any such nuisance to remain which shall be manifestly dangerous or improper, it shall be lawful for the marshal to remove and abate such nuisance if the common council direct, and the person or persons permitting the same to remain as aforesaid, shall on conviction thereof be liable to pay a fine not exceeding twenty-five dollars and the expenses of removing such nuisance together with the costs of prosecution.

SEC. 3. No person shall deposit or cause to be left, placed or deposited in any part of said city, any dead animal or any animal, vegetable or other substances which are offensive, or which by process of decomposition may become offensive unless the same shall be buried at least three feet below the surface of the ground, and any person of fending in the premises, shall on conviction be liable to pay a fine not exceeding fifty dollars and the expense of removing such nuisances together with the costs of prosecution.

SEC. 4: It shall be the duty of the marshal to report to the common council the existence of any nuisance whatever in said city, and perform such other acts relative to the same, according to the general or special regulations prescribed relative thereto, and the marshal is hereby required to make complaint to the city attorney of any violation of this ordinance.

SEC. 5. The justices of the peace of said city shall have jurisdiction of all actions arising under this ordinance.

AN ORDINANCE TO PUNISH BREACHES OF THE PEACE AND DISORDERLY PERSONS.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. Any person who shall within the limits of the city of St. Clair make, aid, countenance or assist in making any noise, riot, disturbance or improper diversion, who shall be guilty of any indecent, immoral or insulting conduct, language or behavior in the street or elsewhere in said city, and all persons who shall collect in bodies or crowds in said city for unlawful purposes to the annoyance of the citizens or travelers, shall for each offense, on con-

viction before any justice of the peace of said city, be punished by a fine not exceeding fifty dollars, and imprisonment in the county jail for a period not exceeding three months, or both at the discretion of the said court, together with the costs of prosecution, and may moreover be held to bail for good behavior.

SEC. 2. The marshal or any constable of this city may arrest all such offenders as are before mentioned, and bring them forthwith before any justice of the peace of said city who shall, as soon thereafter as may be, proceed to hear, try and determine the case as provided in section one, and if from any reason no such justice can be found, or cannot attend to it immediately after such arrest as aforesaid, such offender or offenders shall be committed by such marshal or constable to the common jail of the county of St. Clair until a justice can be found or can attend to the case, provided, however, that such offender shall not be detained in said jail to exceed forty-eight hours without a trial as above provided.

AN ORDINANCE TO SUPPRESS DISORDERLY HOUSES AND
HOUSES OF ILL-FAME.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. Any person or persons who shall within the limits of the city of St. Clair, keep a disorderly or ill-governed house or place, or a house for the resort of persons of evil fame or name, or of dishonest conversation, or who shall procure or suffer to come together at such house or place persons of evil name or fame, or who shall commit or suffer to be committed therein any immoral, indecent or improper conduct or behavior, or any tiptling, reveling, rioting or disturbance; every person or persons so offending, or who shall aid or assist in any manner in offending in the premises, shall on conviction thereof, before any justice of the peace of said city, be punished by fine not exceeding one hundred dollars, or imprisonment in the common jail of St. Clair county not exceeding three months, or both fine and imprisonment at the discretion of the court with the costs of prosecution.

SEC. 2. When any such house or building so occupied or kept as aforesaid, shall be deemed by the common council to be a common nuisance, it shall be competent for said common council to abate such nuisance by ordering such house or other building to be pulled down or removed at the expense of the owner, proprietor or occupant thereof, at the discretion of such common council.

SEC. 3. It shall not be lawful for any person or persons to demise, let or hire any house or other building or premises within the limits of the city of St. Clair, to any person

or persons for any of the purposes in the first section of this ordinance mentioned, or to any person or persons who are of evil nature or fame, or of dishonest conversation, or who by reputation keeps a common ill-governed or disorderly house; neither shall it be lawful for the owner or occupant of any such house, building or other premises to permit or suffer any such person or persons to occupy any such house or premises, nor otherwise harbor such person or persons; and if any person shall knowingly offend against any of the provisions of this section, he or she shall be liable to be fined, upon conviction thereof, before any justice of the peace of said city, in a sum not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding three months, or both at the discretion of the court with costs of prosecution.

SEC. 4. If any person or persons within the limits of the city of St. Clair, commit or suffer to be committed in any house or other building or premises, by him, her or their occupant, any rioting, quarreling, fighting, reveling, drunkenness, noise or any other disorderly conduct calculated to disturb the neighborhood, or among travelers or others; any person or persons offending in the premises, shall, on conviction thereof, before any justice of the peace of said city, forfeit and pay a fine not exceeding one hundred dollars with costs, or by imprisonment in the county jail not exceeding three months, at the discretion of the court.

SEC. 5. It shall be the duty of the marshal and constables of the said city of St. Clair, to take notice of and report all infractions of this ordinance, that every person offending may be dealt with according to law; and it shall be competent for said marshal or any of said constables to arrest any person or persons who may violate the provisions of the first and fourth sections of this ordinance, and to bring such person or persons before any justice of the peace of said city, to be dealt with according to the provisions of this ordinance; provided, that if for any cause no such justice can hear the same or attend to it at that time, the said marshal or constable may commit such offender to the common jail of said county to await said justice, not to exceed in all thirty-six hours.

SEC. 6. No person or persons arrested for the violation of any of the provisions of this ordinance, shall be held to answer and plead thereto, unless a complaint be made on oath or affirmation and filed with the justice before whom the person or persons shall be taken for trial, setting forth briefly the nature of the offense and the name of the person or persons so offending; and in case the real name or names are unknown to the marshal, or to the person complaining, or to the justice of the peace; it shall be lawful for said justice of the peace to use any name until the real name or names shall be ascertained.

AN ORDINANCE FOR THE PREVENTION OF FIRES.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. It shall be the duty of the fire wardens in their respective wards, twice in each year, viz: in the months of June and December, and as much oftener as shall be deemed proper, between sunrise and sunset, to enter into any house or building, lots, yards or premises in said city and examine the fire places, hearths, chimneys, stoves and pipes thereto, ovens, boilers, or other apparatus likely to cause fire; also the places where ashes may be deposited, and all places where gunpowder may be kept, and all places where any shavings, staves, hay or other combustible materials may be lodged; and the said fire wardens shall give such directions in regard to the several foregoing matters as they may think expedient, either as to the removal and alteration, or better care and management thereof, which directions shall be obeyed and complied with by the person or persons directed in their behalf and at their expense.

SEC. 2 The said fire wardens shall also have authority to cause chimneys to be burned out, or otherwise cleared, whenever they shall deem it necessary and to require the owner or tenants of blacksmith shops so to arrange their chimneys in said shops as to prevent sparks of fire from passing into the open air, if they shall deem it necessary, and may require the ceiling or sides of any shop to be plastered; and also to remove or abate, with the consent of the mayor or any alderman, any cause from which immediate danger of fire may be apprehended, at the expense of the person who should have done the same, provided the said person shall neglect or refuse to remove said cause himself.

SEC. 3. If any person or persons shall neglect or refuse to comply with any of the directions of the said fire wardens acting within their authority, or shall obstruct or hinder any fire warden in the performance of his duty, the person so offending shall forfeit and pay for every such offense, neglect, non-compliance or hindrance, a sum not exceeding twenty-five dollars, and they shall also forfeit and pay the further sum of five dollars for each and every day which shall elapse before complying with the directions of said wardens; and it shall also be the duty of said wardens to ascertain whether or not their directions have been duly complied with, and in case of any violation of this ordinance to report the names of all offenders with the particular circumstances to the common council, who may thereupon cause such offender to be prosecuted for the recovery of penalties incurred therein.

SEC. 4. No pipe of any stove shall be put in any house or building unless it be conducted into a chimney made of brick or stone, nor shall any person at any time set fire to

any chimney for the purpose of cleaning the same without the previous consent of the fire warden of his ward, and every person offending against this section shall forfeit for any such offense the sum of five dollars which shall be prosecuted for by direction of the common council.

E. J. Ellis

AN ORDINANCE TO REGULATE THE USE OF STREETS.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. No person shall leave any wagon, cart, carriage, sleigh, or any vehicle standing or remaining in any of the public streets of said city, the same not being in use at the time, under a penalty not exceeding two dollars and costs for every offense.

SEC. 2. No person shall place or cause to be placed any timber, lumber, plank, boards, stone, brick or other materials in or upon any of the streets of said city, unless for the purpose of building, and then only for such period of time as shall be granted by the mayor or common council. Any person offending the provisions of this section, shall for every offense be subject to pay a penalty not exceeding ten dollars and costs.

SEC. 3. No person so building shall obstruct the gutters or sidewalks during the time, and after the completion of the building, he shall remove all building materials and rubbish arising therefrom, from the streets; any person offending in the premises shall be liable to pay a penalty of not exceeding five dollars for every twenty-four hours such materials or rubbish shall be, or remain in, said streets after being notified by the mayor or any member of the common council to remove the same.

SEC. 4. No person shall throw or place, or cause to be thrown or placed into any drains, sewers or gutters within said city, any straw, shavings, wood edgings, staves, stones, rubbish or any filth or other substance, or cause any obstruction, nuisance or injury in or to the same, by diverting or stopping the water course thereof, under a penalty of five dollars for each offense and costs of prosecution.

SEC. 5. No person or persons shall, unless authorized by the common council, dig, remove, or carry away any earth, loam, sand, gravel or sod from any of the public streets or grounds, within the limits of the city of St. Clair, under a penalty for each offense, not exceeding ten dollars with costs of prosecution.

SEC. 6. No person or persons shall knowingly permit or suffer his or their property, consisting either of logs, lumber, coal, wood, staves, tanbark, timber, stone or brick, or any other property which would cause an obstruction thereto, to be and remain in any street in the city of St. Clair; and any person or persons placing or piling or caus-

ing to be placed or piled in any of the streets of the city of St. Clair, any logs, lumber, cord wood, staves, tanbark, timber, stone or brick, or any other property which would cause an obstruction thereto, or who shall permit any logs, lumber, cord wood, staves, tanbark, timber, stone or brick, or any other property which would cause an obstruction thereto, belonging to him or them to remain in any of the streets of said city, shall be liable to pay a penalty not exceeding twenty dollars for every forty-eight hours such logs, lumber, cord wood, staves, tanbark, stone or brick, or any other property, which would cause an obstruction thereto, shall be and remain in said streets, besides the costs of prosecution, together with the expenses necessarily incurred in removing the same if removed by any officer of the city.

SEC. 7. It shall be the duty of the marshal to give complete effect to the provisions of this ordinance, to give notice forthwith, to the owner or owners of any of the property or things mentioned in this ordinance, which he shall find in any of the streets of this city contrary to the provisions of this ordinance, to remove the same within eight days after such notice, and in case any of the owners of such property shall neglect or refuse to remove the said property from the streets pursuant to said notice, the marshal shall cause the same to be removed at the expense of the owner or owners thereof.

SEC. 8. If any person or persons shall knowingly or willfully obstruct, resist or oppose the marshal or other person or persons, duly employed or authorized so to do, in carrying out the provisions of this ordinance, such person or persons offending in the premises shall, on conviction, be punished by a fine not exceeding fifty dollars and costs.

SEC. 9. Upon complaint on oath being made by the marshal or any inhabitant of the city of St. Clair, to the mayor, or to any justice of the peace, or any member of the common council of said city, that any person or persons have violated any of the provisions of this ordinance, said mayor or other member of the common council, or any justice of the peace to whom said complaint is made, shall forthwith cause the person or persons so complained of, to be brought before one of the justices of the peace of said city for the penalty prescribed by the provisions of this ordinance so violated and complained of.

SEC. 10. If in any trial it shall appear to the court that the complaint was wilful or malicious, or without probable cause, or if the complainant shall neglect or refuse to appear and testify in the cause, the court may order and adjudge that such complainant shall pay the costs of such prosecution and thereupon an execution as in other cases shall issue against such complainant.

SEC. 11. On the return day mentioned in any process

issued for a violation of the provisions of this ordinance, the attorney appearing for the city shall file with the justice, a declaration which shall be a brief statement of the cause of prosecution, and refer to the section or sections of this ordinance under which the same is prosecuted; and such statement shall be deemed sufficient, notwithstanding any objection on account of any defect in form or substance to the contrary, if the same contains a plain statement of the cause of action.

SEC. 12. All actions for violations of the provisions of this ordinance, shall be prosecuted in the name of the city of St. Clair, and all moneys arising from fines or penalties under this ordinance, shall be paid into the city treasury as soon as collected, to be by the city treasurer credited to the general fund of said city.

SEC. 13. The common council of the city may extend the time for the removal of lumber, timber, staves, cordwood and other obstructions now in the streets of the city, upon satisfactory cause being shown by the owners thereof that such extension will be just and proper.

AN ORDINANCE TO ORGANIZE THE FIRE DEPARTMENT AND FOR OTHER PURPOSES.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. The fire department of the city of St. Clair shall consist of one chief engineer, and two assistant engineers; two fire wardens, and as many firemen, hose men, hook and ladder men and axe men, as may from time to time be appointed by the common council; and who shall be respectively distinguished by the appellation aforesaid.

SEC. 2. The chief engineer and assistant engineers shall be elected annually by the fire department of the city, shall be assigned and attached by the mayor to each company of firemen having charge of a fire engine, as he shall think proper, and at every fire, every warden shall report himself to the chief engineer and be subject to his directions, and to the directions of the other engineers in his absence; and it shall be the duty of the fire wardens to prevent the hose from being run over, trodden upon or otherwise injured; and to keep all idle and suspicious persons from the fire and its vicinity; and also to use all proper exertions for the preservation of goods and other property endangered by fire, and all citizens are required to comply with the directions of the fire wardens, provided, such do not conflict with the orders of the engineer having control at the time.

SEC. 3. The assistant engineers on an alarm of fire shall immediately repair to the place where the same is and report themselves to the chief engineer, or the person having

command at the time, being under a penalty of five dollars for every wilful neglect.

SEC. 4. The chief engineer shall have full power, control and command over all persons whomsoever, at any fire, except members of the common council, and in his absence the engineer first arriving at the place shall have the same power and control that the chief engineer would have if present.

SEC. 5. It shall be the duty of the chief engineer to direct at all fires, all such measures as he may deem most advisable for the effectual extinguishment of said fires, and also, at least once in every six months, to examine the condition of the fire engines and other apparatus, together with the engine house belonging to the corporation, and report to the common council accompanied by the names of all the members of the fire department, and the respective companies to which they belong; and whenever any fire engine or other fire apparatus shall require to be repaired, the chief engineer shall cause the same to be well and sufficiently done, and he shall report in writing all fires that shall happen in this city, with the causes thereof, as well as he can ascertain, and the description of the buildings destroyed or injured, together with the names of the owners or occupants, to the city clerk who shall keep a correct registry of such report.

SEC. 6. The firemen shall be divided into companies to consist of as many members as the common council shall direct; one of which companies shall be assigned to each fire engine belonging to, or that may hereafter belong to the city, and each of said companies shall choose from the company a foreman, three assistants, steward, secretary and treasurer, at such times as they may think proper; and it shall be the duty of said firemen as often as a fire shall break out in the city, to repair immediately, upon the alarm thereof, to their respective fire engines, and take said engine to or near the place where such fire shall happen, and there and then in conformity with the directions given them by the chief engineer or the officer having charge of the fire department at the time, shall work and manage the said fire engine, hose and other implements and instruments thereto belonging with all their skill and power; and when the fire is extinguished shall not remove therefrom, but by the direction of the engineer in command at the time, which direction being given they shall return with their respective fire engines, hose and other implements to their several places of deposit, and as soon as may be, wash and clean the same; and for the non-effectual keeping and preserving the fire engine from decay, the said men shall, by order of the chief engineer, draw out their said engine in order to cleanse, wash and exercise them; and if any firemen shall neglect said duty, he shall forfeit and pay for every default

five dollars, and if he shall neglect to attend at any such fire as aforesaid, or leave the fire engine while at any fire without permission, or neglect or refuse to perform his duty on such occasion, without reasonable excuse, he shall for every default forfeit and pay a sum not exceeding five dollars, and also be removed and expelled from the said company.

SEC. 7. The hose, hook and axe company shall be divided into companies to consist of as many members as the common council shall direct, and each company shall choose out of their own number, a foreman, assistant and secretary, in such manner and at such times as they may think proper; and it shall be the duty of such hose, hook and ladder, and axe men to cause their hose, hooks, ladders and other implements to be conveyed to the place where any fire may happen, and apply and use the same agreeable to the directions of the chief engineer or other engineers; and after such fire shall be extinguished, to return the same, when dismissed by the engineer in charge, to the place where they are usually deposited, and as soon as may be thereafter, wash and clean the same; and if any hose, hook and ladder or axe man shall wilfully neglect or refuse to perform any of the duties aforesaid, he shall forfeit a sum not exceeding five dollars for every such neglect, and may be expelled from the company.

SEC. 8. Whenever any fireman, hook, hose, ladder or axe man is elected a member of any fire company, or to supply the vacancy therein, it shall be his duty to call on the secretary of the company and procure a certificate within one month from the date of his election, countersigned by the city clerk, specifying the name and the company to which such fireman, hose, hook, ladder or axe man shall be elected; and if any fire, engine, hose, hook, ladder or axe man, whose office for any cause has become vacant shall be re-elected, he shall take a new certificate as aforesaid; and it shall be the duty of the chief engineer to add his certificate on said certificate as to whether a vacancy exists in the company to which any fire engine man, hose, hook, ladder or axe man shall be elected as aforesaid; and if such certificate shall not be procured within the time above prescribed, such appointment shall be null and void.

SEC. 9. The chief engineer shall wear a leather hat with the words "chief engineer" painted on the front thereof; and shall carry a speaking trumpet and wear a leather belt with the words "chief engineer" painted thereon.

SEC. 10. The engineers shall wear painted leather hats with the word "engineer" painted on the front thereof; they shall also carry a speaking trumpet and wear a leather belt, with the word "engineer" painted thereon.

SEC. 11. The fire wardens shall severally wear a badge with the words "fire warden" painted thereon.

SEC. 12. The foreman and assistants of the engine, hose, hook, ladder or axe companies, and the members of said companies shall wear leather caps of the form in general use in fire companies; the cap of the foreman shall have the word "foreman" painted on the front, together with the number of the company to which he belongs, and each member of an engine company, hose, or hook and ladder company, shall have the number of the company to which he belongs painted on the front of his cap.

SEC. 13. All persons who at a fire shall refuse to obey any order or direction given by a person duly authorized to order or direct, or who shall resist or impede any officer or any other person in the discharge of his duty, unless a reasonable excuse can be made therefor, shall be punished by a fine not exceeding five dollars.

SEC. 14. It shall be lawful for the foreman or assistant foreman of any fire company, or for any member of the common council, chief engineer or assistant, to require the aid of any citizen or inhabitant of the city in drawing any engine or other apparatus to any fire, and on neglect or refusal to comply with such requisition, the offender shall pay a penalty of five dollars.

SEC. 15. If any person shall wilfully, or negligently injure in any manner, any hose, engine, hook, ladder or other apparatus, or building containing the same, belonging to or used by the city, the offender for every such offense shall forfeit and pay the sum of five dollars, besides being liable to action for the recovery of the damage done.

SEC. 16. The hook and ladder and axe men shall, under the direction of the chief engineer and two members of the common council present, or in the absence of the chief engineer, then under the direction of the assistant engineer and two members of the common council, or in the absence of the chief and assistant engineer, then under the direction of any other members of the common council, if so many be present, cut down and remove any building or fence, for the purpose of checking the progress of any fire.

SEC. 17. If any person having charge of any engine or other fire apparatus, shall suffer or permit the same to be applied to private use without the consent of the mayor, chief engineer or common council, he shall forfeit the sum of five dollars, besides the damages occasioned thereby.

SEC. 18. All fines provided by this ordinance shall accrue to the benefit of the fire department when collected, after deducting the costs and expenses incurred in the prosecution thereof.

SEC. 19. Each fire company and hook and ladder company, organized under the provisions of this ordinance, may pass such by-laws as they may deem proper for the government of the company, not inconsistent with the provisions of this ordinance.

SEC. 20. Any justice of the peace of this city shall have jurisdiction to hear and determine all complaints made under the provisions of this ordinance, and to impose any fine for the violation of the same.

AN ORDINANCE RELATIVE TO SIDE AND CROSSWALKS.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. That the following shall be established as the width of all sidewalks within the limits of the city of St. Clair; upon Front street the sidewalk shall be six feet in width, and crosswalks three feet in width, and on all other streets the sidewalks shall be four feet in width, and all crosswalks three feet in width; *Provided* That the common council may alter or vary the width of any by resolution to be by them passed for that purpose.

SEC. 2. No person or persons shall place or cause to be placed upon the sidewalks of this city, or between the sidewalks and the building or fences, any box, barrel, article of merchandise or any other obstruction whatsoever, except so far as the same be necessary and unavoidable in transporting such articles across the sidewalk.

SEC. 3. It shall be the duty of the marshal, upon knowledge or information that any of the sidewalks are incumbered or obstructed, to require the owner or owners, occupant or occupants of the lot or premises in front of which such incumbrance exists, to remove it, and every such owner or occupant neglecting for the space of twenty-four hours to comply with such requisition, and any person wilfully offending against this ordinance, shall, on conviction thereof, be punished by a fine not exceeding five dollars.

SEC. 4. No person whatever, except for the purpose of ingress and egress, shall drive, ride or load any team, horse, cart, carriage or vehicle of any kind on any of the sidewalks within this city, under a penalty not exceeding five dollars for each offense.

SEC. 5. Any person who shall obstruct any of the side or crosswalks in this city by leaving his team, horse, wagon, cart or carriage standing thereon any longer than is necessary for the purpose of ingress and egress along or across the same, shall, on conviction thereof, be punished by a fine not exceeding five dollars.

SEC. 6. It shall be the duty of the marshal, upon knowledge or information that any of the sidewalks are so obstructed, to direct the immediate removal of such obstructions, and if the owner of any team, horse, wagon, cart, carriage or other vehicle shall refuse to remove the same without delay, it shall be the duty of the marshal to remove such obstruction.

SEC. 7. No person shall drive any horse, cart, carriage, or vehicle of any kind across any of the sidewalks in this city, except at the regular crossings of the streets, under a penalty not exceeding five dollars for each offense: *Provided*. That no person shall be debarred from crossing for the purposes of ingress or egress to and from his own business.

SEC. 8. The owner or occupant of any lot or lots within the city, when ordered so to do by the common council, shall cause the sidewalks in front of and adjoining their respective premises, between the first day of November and the first day of April, to be kept free and clear of snow and ice, by removing the same within twenty-four hours after the said snow shall have fallen, or the ice formed, under a penalty not exceeding ten dollars; and it shall be the duty of the marshal, on knowledge or information, to see that all orders of the common council made in pursuance of this ordinance, be obeyed, and to cause said snow or ice to be removed, and to cause the owners or occupants of the premises neglecting or refusing to obey this ordinance, to be prosecuted for the penalty aforesaid.

AN ORDINANCE RELATIVE TO SHOWS, &c.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. It shall not be lawful for any person or persons to make or exhibit any show or shows, or to perform any play or plays, games, theatrical or other curiosities for which pay or other compensation of any kind shall be required, within the limits of the city of St. Clair, without having previously been licensed so to do by the authority of the common council of said city. And any person or persons offending against the provisions of this ordinance shall be liable to a fine of not exceeding one hundred dollars, or imprisonment in the county jail not exceeding ninety days for every offense. The marshal or any constable of said city is hereby authorized, and it is hereby made their duty, and the duty of each of them in case the provisions of this ordinance shall be violated or not complied with, to arrest the person or persons offending against the same and bring him or them before any justice of the peace of said city, who shall thereupon, as soon as may be, proceed to inquire into such alleged violation, and if found guilty the said justice shall forthwith pass judgment upon said accused, said judgment not to exceed the fine or imprisonment above provided for and the costs; *Provided*, Any such person may be discharged by said justice upon paying such sum as is required for license in such cases by this ordinance, and costs.

SEC. 2 It shall be the duty of all or every person or persons who may be desirous of exhibiting any natural or

other curiosities or shows, or to perform any games or theatrical exhibitions or any other games, shows or public entertainments of whatever nature, for which money, pay or any other compensation whatever shall be required or received, to make application, to the city clerk for a license, and the said license may be granted by the city clerk upon the payment to him of the sum hereinafter required.

SEC. 3. The city clerk shall be entitled to ask, demand and receive the following prices for all shows, exhibitions, concerts, &c, hereinafter mentioned, viz :

For the first exhibition of any kind by itinerant persons or showmen, and not hereinafter specified.	\$ 3 00
For each subsequent exhibition by the same person or persons and in continuation of a series.	1 00
For each concert or musical entertainment the charges for admission to which does not exceed fifty cents	3 00
For all circuses, menageries, or other exhibitions performing under canvas; first exhibition.	15 00
For each subsequent exhibition.	10 00
For all side shows, each day.	5 00

AN ORDINANCE RELATIVE TO BATHING.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. All men and boys are hereby prohibited from bathing in the St. Clair river at any place within the limits of this city, south of the third ravine on Mr. Loomis' farm and the southern boundary of this city, at any time from sunrise till after 9 o'clock p. m.

SEC. 2. All men and boys are hereby prohibited from bathing in the waters of Pine river at any place within the limits of this city, from the mouth of Pine river to the point where the eastern boundary of Julius Belknap's farm intersects said river, at any time from sunrise till after 9 o'clock p. m.

SEC. 3. Any man or boy who may be found on the banks of said rivers within the points where bathing is prohibited with his clothes off, or in the act of putting them off or on, at any time between sunrise and 9 o'clock p. m., shall be deemed guilty of violating this ordinance.

SEC. 4. Any man or boy who may be found waiting or lingering at any place on or near the banks of said rivers where other persons are bathing, from sunrise till after 9 o'clock p. m., shall be deemed guilty of violating this ordinance.

SEC. 5. The city marshal, his deputies, or any constable of said city shall arrest any violator of this ordinance either from personal observation of the violation, or by direction of either of the police justices, at any time during his office

hours for examination. The fee for the marshal, deputy or constable shall be one dollar for each person convicted of a violation of this ordinance.

SEC. 6. Any police justice in this city shall, on presentation by the marshal or constable of any violator of this ordinance in office hours, proceed as soon as practicable to examine the violator, and, if satisfied of his guilt, shall fine him for the first offense five dollars, or ten days' imprisonment; for the second offense, ten dollars, or twenty days' imprisonment; for the third offense, three years in the house of correction, if the violator be under 16 years of age. The fees of the justice shall be two dollars for conviction in each case. Any police justice shall also issue warrants for the apprehension of any violator of this ordinance on complaint of any one whose testimony would produce conviction.

**AN ORDINANCE RELATIVE TO THE CONDUCTING OF SALOONS
AND THE SALE OF SPIRITUOUS LIQUORS.**

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. That from and after Monday, the twenty-fifth day of September, 1865, it shall be deemed unlawful for any keeper of saloon, beer-house, or any other place where intoxicating drinks or beer are kept for sale (except in drug stores for medicinal purposes only) to sell, vend, or offer for sale any liquor, wine, beer, ale or cider after the hour of 12 o'clock p. m. *Provided*, That, on each and every Saturday night all such places aforesaid shall be closed at the hour of 11 p. m.

SEC. 2. That from and after the date aforesaid it shall be considered a misdemeanor for any keeper of saloon, beer-house, or where any other drinks are kept for sale, to sell, vend, or offer for sale any spirituous liquors, ale or beer, to any person whatsoever, (excepting only guests or travelers stopping at hotels, and in cases of sickness or necessity) on the first day of the week, called Sunday.

SEC. 3. It shall be the duty of any person cognizant of any violation of this ordinance, to make immediate complaint to a police justice in this city, who shall, upon such complaint, issue a warrant for the arrest of such offender, and if convicted of a breach of this ordinance, he, she or they shall be subject to a fine as follows, to-wit: For the first conviction, a fine of ten dollars, together with costs of prosecution. For the second conviction, a fine of twenty-five dollars and costs. For the third conviction, a fine of fifty dollars and costs, or imprisonment in the county jail not exceeding ninety days, or both, at the discretion of the court. Said fines to be collected by the marshal, and paid over to the city clerk for the benefit of said city.

AN ORDINANCE RELATIVE TO FIRE CRACKERS, &c.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. No person shall fire or set off any squibs, crackers, gunpowder, or fire-works, in any part of this city, (except on the public square) under a penalty not exceeding five dollars, or imprisonment in the county jail not exceeding ten days, or both, in the discretion of the justice before whom the same shall be tried.

SEC. 2. No person shall throw any burning stub of a cigar, or empty any fire from a tobacco-pipe on any sidewalk, wharf or dock, within said city, under a penalty of one dollar, or imprisonment in the county jail not exceeding five days, or both, in the discretion of the court; and any person who shall violate either of the foregoing sections shall forfeit the penalty attached thereto, upon conviction before any justice of the peace of said city.

SEC. 3. It shall be the duty of the city marshal to prosecute each and every offender against this ordinance upon due notice from any responsible person, that they will furnish proof of the violation thereof, or upon personal knowledge of the fact himself.

AN ORDINANCE TO PREVENT OBSTRUCTIONS TO THE NAVIGATION OF PINE RIVER, AND TO PRESERVE THE SALUBRITY OF THE WATERS THEREOF.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. No person or persons shall place, or cause to be placed, any boom, raft, piles, timber, vessel, or other obstructions, in, upon, or across Pine river, within the limits of the city of St. Clair, so as to hinder, impede or obstruct the free navigation thereof of ships, boats, and vessels which may be passing up and down said river, except so far as the same may be necessary and unavoidable in transporting, rafting and booming saw-logs, lumber and timber, up and down said river; nor shall any person or persons, for the purpose of rafting or booming any saw-logs or timber, be permitted to place any piles or other permanent obstructions in or across said river so as to obstruct the navigation thereof; and any persons who may be floating or rafting any logs, timber or lumber on said river which shall temporarily obstruct the navigation thereof for ships, boats, or vessels, shall remove the same without unnecessary delay whenever it is necessary to pass any ship, boat or vessel, up or down said river.

SEC. 2. It shall be the duty of the marshal, upon knowledge or information that the navigation of said river is obstructed or impeded, to require the person or persons so

obstructing the same, or the owner or owners of any such obstruction, to remove the same forthwith. Every person who shall neglect, or refuse to remove such obstructions; and every person wilfully offending against this, and section 1 of this ordinance, shall, on conviction thereof, before any justice of the peace in said city, be punished by fine not exceeding one hundred dollars and costs of suit, or imprisonment in the county jail not exceeding three months, or both, in the discretion of the court.

SEC. 3. It shall be the duty of the city attorney to prosecute all offenders against this ordinance in behalf of said city in an action of trespass, upon notice and complaint of the city marshal that any person has violated any of the provisions thereof.

SEC. 4. All fines collected under and by virtue of this ordinance shall be paid over to the city treasurer, and be by him held and credited to the contingent fund of the city.

SEC. 5. This ordinance shall not be construed to hinder or prevent any person from prosecuting for any private damages which he may sustain by reason of any obstruction which may be placed in said river.

AN ORDINANCE RELATIVE TO THE REGULATION OF THE CEMETERY.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. That any person who shall wilfully and maliciously walk or run over or upon any lot in the cemetery of this city, except he or she may be legally entitled so to do, shall be punished by a fine not exceeding five dollars and the costs of prosecution, or imprisonment in the county jail not exceeding ten days for each offense.

SEC. 2. The justices of the peace of this city shall have jurisdiction of all actions arising under this ordinance.

AN ORDINANCE RELATIVE TO FAST DRIVING IN THE CITY OF ST. CLAIR.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. No person or persons shall run or race any horse or horses, or drive any carriage or other vehicle of any kind, within the limits of the city of St. Clair at a faster rate than six miles an hour.

SEC. 2. Any person violating section one of this ordinance shall be liable to pay a fine not exceeding \$5 for each and every offense and the costs of prosecution or be imprisoned in the city lockup for a period not exceeding 30 days or both fine and imprisonment in the discretion of the court.

SEC. 3. Any justice of the peace of this city shall have jurisdiction of all cases arising under this ordinance.

AN ORDINANCE RELATIVE TO GEESE AND GOSLINGS RUNNING AT LARGE.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. It shall not be lawful for geese or goslings to run at large in any of the public streets or public grounds of, or within the limits of the city of St. Clair, in the county of St. Clair, Michigan.

SEC. 2. All geese or goslings found at large in violation of section one of this ordinance may be placed in the city pound by any person or persons, whose duty it shall be to notify the marshal, or one of the deputy marshals, who shall retain and take care of and feed the geese and goslings so distrained, and not deliver the said geese and goslings to any person until the owner or keeper of such geese and goslings pay, or cause to be paid, for the use of said city, five cents for each one of said geese and goslings so impounded, together with fifty cents as marshal's fee and the proper charges for keeping the said geese and goslings so impounded.

SEC. 3. It shall be the duty of the person or persons impounding any geese or goslings as aforesaid, to immediately and within a reasonable time notify the owner or owners of the impounding of such geese or goslings, if such owners be known, and if not known then within twenty four hours, to put up one notice at the postoffice in said city, which notice shall give the number of the geese and the number of the goslings so impounded, together with the date of said impounding; *Provided*. Said geese and goslings are not called for, and the charges as provided for in section two of this ordinance be not paid within forty-eight hours from the time of impounding as aforesaid, it shall be the duty of the marshal, or his deputy to give notice (to be posted in not less than three public places in said city) of the sale of such geese and goslings so impounded, giving at least five days' notice before such sale.

SEC. 4. From the proceeds of such sale as aforesaid, the officer selling such geese and goslings shall retain the amount provided for in section two, together with his fees, for the sale of such geese and goslings, which shall be the same as constables are allowed for notice and sale of goods and chattles by virtue of execution and levy sales.

SEC. 5. The surplus, if any there be, from such sale, shall be paid to the owner or owners, if known, if not known, to be deposited by the officer making sale with the treasurer of the city; *Provided*, That if the owner or owners shall establish their ownership to such geese and goslings within six months from the time of the sale as aforesaid, the treasurer shall refund the said surplus so deposited to said owner or owners, retaining one per cent. as his fees; *Provided*,

the said ownership is not established within six months, the said surplus shall be forfeited and placed in the contingent fund of said city.

**AN ORDINANCE RELATIVE TO THE USE OF POSTS, FENCES
AND SHADE TREES OPPOSITE OR IN FRONT OF
PRIVATE RESIDENCES.**

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. That no person or persons shall be permitted to hitch a horse, horses, or other team or teams to the fence, hitching-post, or shade trees of any private residence or premises in the city of St. Clair, or to hitch or leave standing any horse, or horses or other team on the lawn in front of or adjacent to any private residence or premises, inside of the worked portion of the street or highway in said city, without the consent of the owner or occupant of such private residence or premises.

SEC. 2. Any person or persons violating the conditions of this ordinance shall be liable to pay a fine not to exceed five dollars for each and every offense and the costs of prosecution, or to be imprisoned in the county jail for a period not to exceed five days; and the justices of the peace of this city shall have jurisdiction of all cases arising under this ordinance.

AN ORDINANCE TO ESTABLISH FIRE LIMITS, ETC.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. All that part of said city lying east of Second street and extending north from the north bank of Pine river to the north line of Vine street shall hereafter be known and designated as the fire limits of said city.

SEC. 2. It shall not be lawful (after the time of this ordinance taking effect) for any person or persons to erect, build, or construct any wooden building or any other building, or remove any building from one locality to another place or locality, within the said fire limits (as described in section one of this ordinance) without first obtaining permission from the said common council.

SEC. 3. For the purpose of obtaining such permission, the application shall be made in writing and shall specify the locality, the size of the building to be constructed or removed, the material of which the building is to be composed, which application shall remain on file in the clerk's office, and the permission or refusal shall be sufficient when a majority of all the members elect shall so express by yeas and nays and entered on the journal of said council.

SEC. 4. For the recovery of the forfeiture against any person or persons for a violation of this ordinance as provided for in section 166 of the revised charter of said city, approved March 18, 1863, may be prosecuted before any justice of the peace of said city by warrant or otherwise, as the mayor of said city shall determine, whose duty it shall be to prosecute the same in the name of the city of St. Clair.

AN ORDINANCE RELATIVE TO THE PREVENTION OF CATTLE RUNNING AT LARGE IN THE CITY OF ST. CLAIR.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. That from and after June 10th, 1883, it shall not be lawful for any cattle to run at large in any public street, lane, alley, park, place or highway within the limits of the city of St. Clair.

SEC. 2. It is hereby made the duty of the Marshal or any Deputy Marshal and it shall be lawful for any other person or persons to take up and convey to the city pound any animal which may be found running at large in violation of the provisions of section one of this ordinance.

SEC. 3. The Marshal shall receive, keep and feed any animal which may be brought to the pound.

SEC. 4. The Marshal shall on Saturday of each week at the city pound sell at public auction any animal that has been impounded under this ordinance for a period of five days unclaimed or whose owner refuses or neglects to pay the charges therefor. Notice of such sale shall be given at least fifteen days prior thereto and shall contain a description as near as may be of the animal to be sold and which shall be posted in public and conspicuous places in the city, one of which places shall be the Post Office.

SEC. 5. Whenever the Marshal or any Deputy Marshal or whenever any person shall take up and convey to the city pound any animal which may be found running at large in violation of section one of this ordinance it shall be the duty of such Marshal or Deputy Marshal or other person so taking up any cattle to forthwith cause a description of said animal or animals to be entered upon a book to be kept by the clerk of the city for that purpose.

SEC. 6. The Marshal shall receive as his fees for each of such animals before delivering up the same the sum of fifty cents together with the amount expended for the feeding and taking care of such animals which amount shall be deducted from the proceeds of the sale of such animal or to be paid by the owner or owners thereof.

SEC. 7. The Marshal shall receive for his fees for advertising and sale of animals under this ordinance the same amount as is allowed constables for sale under execution.

SEC. 8. The proceeds of the sale of any animal under

this ordinance after deducting the fees and charges provided for herein shall be deposited with the treasurer and the said treasurer shall retain the same in his hands and pay the same to the owner or owners of said animals after a reasonable demand therefor and satisfactory proof of such ownership, provided such owner or owners shall appear and claim such surplus money within one year after sale and if the owner or owners shall not appear and demand such surplus money within one year after such sale has been made he shall forever be precluded from recovering any part of such money, *Provided*, any such animal sold in pursuance of this ordinance may be redeemed any time within six months following such sale by paying the expense of such custody and sale and a reasonable compensation for keeping the same.

SEC. 9. All ordinances or parts of ordinances containing the provisions of this ordinance are hereby repealed.

SEC. 10. Justices of the Peace of this city shall have jurisdiction of all cases arising under this ordinance.

AN ORDINANCE RELATIVE TO RIVER ENDS OF STREETS.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. That no person or persons shall occupy or use for business or private purposes any river end of any of the streets of this city ending on St. Clair river, or Pine river, without procuring a lease therefor in accordance with section 47 of the charter, said lease to be signed by the mayor and city clerk, and to be conditioned as the common council shall direct.

SEC. 2. Any person or persons violating the provisions of section one of this ordinance shall forfeit and pay to the city the sum of fifty dollars for each and every offense or be imprisoned in the city lock-up for a period not exceeding ninety days, or both fine and imprisonment in the discretion of the court. And it shall be the duty of the city attorney to prosecute all violations of this ordinance.

SEC. 3. Any justice of the peace of this city shall have jurisdiction of all cases arising under this ordinance.

AN ORDINANCE RELATIVE TO THE USE OF FIRE ARMS.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. No person shall within the limits of the city, discharge or cause to be discharged any gun or pistol, or shoot off any fire-arm.

SEC. 2. Police officers are exempted from the operation of this ordinance.

SEC. 3. Any person who shall violate the provisions of

section one of this ordinance shall, upon conviction thereof before any police justice, be subject to a fine not less than five dollars and not exceeding fifty dollars, or imprisonment for a time not exceeding three months.

AN ORDINANCE RELATIVE TO FERRIES.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. No person shall keep a ferry or boat for carrying and transporting persons and property across the St. Clair river to the opposite shore without a license therefor from the Mayor.

SEC. 2. The Mayor is hereby authorized to grant a license to any person or company to keep a ferry or boat to carry and transport persons and property across the St. Clair river to the opposite shore, on his or their paying into the city treasury the sum of \$10 per annum for each and every craft.

SEC. 3. Any person or company desiring a license for a ferry to carry or transport persons or property across the St. Clair river, shall make application therefor, in writing, to the mayor, and such application shall state the points or wharves upon each shore between which it is proposed to run the ferry.

SEC. 4. The person or company licensed as provided herein, shall keep at all times during the continuance of his or their license, a good and sufficient boat or boats, properly manned and equipped, and shall make trips as often as necessary for the convenience of the public.

SEC. 5. The mayor is hereby authorized to revoke at any time any license, whenever he shall be satisfied that the person or company keeping such ferry has intentionally violated the provisions of this ordinance, or has become guilty of extortion or overcharging; and after such person or company or agent shall have been notified of such revocation, it shall not be lawful to continue such ferry.

SEC. 6. Any violation of or failure to comply with this ordinance shall be punished by a fine not exceeding fifty dollars, and in the imposition of any such fine and costs, the court may make a further sentence, that, in default of the payment thereof, such offender be imprisoned for any period of time not exceeding three months.

AN ORDINANCE PRESCRIBING THE FEES OF POLICE JUSTICES OF THE CITY OF ST. CLAIR.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. It shall not be lawful for either of the police

justices of the said city to demand, receive, ask or tax any higher or greater fees, (while engaged in causes as such police justices) than those provided in the second section of this ordinance.

SEC. 2. For each complaint, twenty-five cents; each warrant, twenty-five cents; taking security for costs, eighteen cents; each case entered on docket, twenty-five cents; for each witness subpoenaed, not to exceed four each side, six cents; for an adjournment, eighteen cents; for committing each person to jail, twenty-five cents; for recognizance, thirty-five cents; for approval of same, ten cents; swearing jury, eighteen cents; venire, fifteen cents; for the trial or otherwise disposing of each cause, one dollar; for entering each judgment, twenty-five cents; and for all other services not herein specified the same fees as are allowed by the board of supervisors of the county of St. Clair to justices of the peace for similar services.

SEC. 3. Any police justice of this city who shall be guilty of a violation of the said second section of this ordinance shall be liable to the party aggrieved in treble the amount taken unlawfully together with costs of suit to be recovered before a justice of the peace of said city.

AN ORDINANCE RELATIVE TO DRIVING FASTER THAN A WALK OVER PINE RIVER BRIDGE ON FRONT STREET IN THE CITY OF ST. CLAIR.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. No person or persons shall run or drive any horse or horses or drive any carriage or other vehicle of any kind over Pine river bridge on Main street in the city of St. Clair at a faster rate than upon a walk.

SEC. 2. Any person or persons violating the provisions of section one of this ordinance shall forfeit and pay a fine to and for the use of the city of St. Clair for each violation of the same, the sum of five dollars and the costs of prosecution.

SEC. 3. It shall be the duty of the city marshal to enforce this ordinance.

SEC. 4. Any justice of the peace of this city shall have jurisdiction of all cases arising under this ordinance.

AN ORDINANCE RELATIVE TO BICYCLES AND VELOCIPEDES

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. The use of bicycles and velocipedes as a means of travel or locomotion is prohibited upon the sidewalks within the city of St. Clair:

SEC. 2. Every person who shall violate section one of this ordinance shall on conviction thereof forfeit and pay a fine to the city of St. Clair of not less than one dollar nor more than twenty-five dollars besides costs of prosecution in the discretion of the court, and in default of such payment of fine and costs shall be imprisoned in the county jail of St. Clair county not more than ninety days.

AN ORDINANCE RELATIVE TO THE SLAUGHTERING OF ANIMALS WITHIN THE CITY LIMITS.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. Every person slaughtering beeves, sheep or other animals within the city limits shall cause the houses yards or places where such killing is done to be provided with tight plank floors, or to be paved with brick or stone, and if paved the earth below shall be so constructed as to carry off into a tub or reservoir all blood and offal. At the end of each day when killing has been done on the premises, and at the end of each day when for any other cause, any blood, offal or any other offensive material or garbage shall have accumulated on the premises; the occupant shall cause the premises to be thoroughly washed, and shall also cause the contents of said tubs, vessels or reservoirs and all other offal, garbage and offensive matter on the premises to be conveyed to some place without the city limits. And no such occupant shall suffer or permit the contents of such tubs or vessels, or such offal, garbage or other offensive matter, to be emptied into any public or private drain or sewer within the city limits.

SEC. 2. Every slaughter house in the city shall be white-washed inside at least once in each month between the first day of April and the first day of November.

SEC. 3. Any person violating the conditions of sections one and two of this ordinance, shall on conviction thereof before any police justice, be subject to a fine of not less than \$5.00 nor more than \$10.00, or imprisonment not more than three months, or both fine and imprisonment at the discretion of the court.

AN ORDINANCE TO PUNISH DRUNK OR INTOXICATED PERSONS.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. Any person who shall within the limits of the city of St. Clair, be drunk or intoxicated in any hotel or place of public business, or in any assemblage of people collected together in any place, for any purpose, or in any

other public place, shall on conviction thereof, be punished by a fine not exceeding twenty-five dollars and the costs of prosecution, or imprisonment in the common jail of the county for a period not less than ten days and not exceeding sixty days, or both such fine and imprisonment in the discretion of the court.

SEC. 2. The marshal or deputy marshal or any constable of the city may arrest all such offenders as are before mentioned and bring them forthwith before any justice of the peace, who shall as soon thereafter as may be proceed to hear, try and determine the case as provided in section one.

AN ORDINANCE FOR THE PROTECTION OF LAMPS AND LAMP POSTS.

It is hereby ordained by the mayor and common council of the city of St. Clair:

SEC. 1. No person or persons shall wilfully, maliciously or neglectfully injure, pull down, break, remove, or in any manner deface or injure public lamps or lamp posts within the city.

SEC. 2. No person shall light or cause to be lit, or extinguish or cause to be extinguished any public lamp or light without being authorized so to do by the common council.

SEC. 3. No person shall hang or place any article or substance whatever upon or place any box or other heavy material or hitch any horse or other animal to any public lamp or lamp post in said city.

SEC. 4. Any violation of the provisions of this ordinance, shall on conviction thereof, be punished by a fine not to exceed the sum of twenty-five dollars and costs, and in the imposition of such fine and costs, the court may make a further sentence, that in default of the payment thereof the offender may be imprisoned for a period of time not exceeding thirty days.

FEEES TO BE CHARGED FOR USE OF THE CITY HALL.

Theatrical troupe.....	\$ 7.00
Free exhibition by residents of St. Clair City.....	Free.
Same, when admission fee is charged.....	3.00
Balls.....	5.00
Lecture, when an admission fee is charged.....	3.00
Lecture, when no admission fee is charged.....	2.00
St. Clair Fire Department and St. Clair Band.....	Free.

RULES OF ORDER.

RULE 1. The Common Council shall hold regular sessions upon the first Monday of every month, at 7:30 o'clock P. M.

RULE 2. The mayor, and in his absence the acting mayor, or, in the absence of both the mayor and acting mayor, such alderman as shall be chosen shall preside, and upon the appearance of a quorum shall cause the minutes of the preceding session to be read, at which time, mistakes, if any, shall be corrected. He shall preserve order and decorum, and shall decide questions of order. He shall appoint all standing committees.

RULE 3. The mayor or any two aldermen may have a call of the Council, when the names of the absentees shall be noted by the city clerk. Every such absentee not offering a reasonable excuse for his absence, when called upon to do so, or when summoned before the council for that purpose shall be fined for each default the sum of one dollar.

RULE 4. When a question is put by the chair every member shall vote unless the Council, for special reasons, shall excuse a member.

RULE 5. Every motion, except to adjourn, postpone, or commit, shall be reduced to writing if the chair or any member shall request it; when made or seconded, it shall be stated by the presiding officer, or, if in writing, it shall be read by the clerk, and may be withdrawn before decision or amendment.

RULE 6. A motion to adjourn shall always be in order, and shall be decided without debate.

RULE 7. When a member is about to speak he shall arise and address himself to the chair. He shall not speak more than twice on any question without leave of the Council.

RULE 8. When two or more members rise at the same time the chairman shall decide which shall speak first.

RULE 9. A member called to order shall resume his seat, unless permitted to explain, and the Council, if appealed to, shall decide the matter. On any appeal no member shall speak more than once without the consent of the Council.

RULE 10. On forming a committee of the whole the chairman shall leave the chair and call some member to preside.

RULE 11. The rules of the Council shall be observed in committee of the whole, except the rule limiting the time of speaking, and the previous question shall not be put in committee of the whole:

RULE 12. A motion that committee-rise shall always be in order, and shall be decided without debate.

RULE 13. The clerk shall enter upon the journal the proceedings of the committee of the whole, as the same may be reported to the Council.

RULE 14. When a question is under debate, no motion shall be entertained, unless to postpone, amend, to take the previous question, to commit, or to adjourn.

RULE 15. The previous question shall be put in these words: "Shall the main question now be put?" It shall be admitted on demand of any two members, and, until decided, shall preclude all amendments or debate upon the main question.

RULE 16. Any member may call for a division of the question when the same will admit thereof.

RULE 17. No member shall introduce an ordinance except upon leave asked and granted; and all votes upon the adoption of an ordinance shall be by ayes and nays.

RULE 18. Upon the introduction of an ordinance it shall be read by the clerk by sections, at which time amendments may be offered. If no amendment is made, the question shall be: "Shall an ordinance entitled an ordinance, &c., (whatever the title may be) pass?" If amendments are made, the ordinance as amended shall be read and placed upon its passage.

RULE 19. When a question shall have been taken it shall be in order for any member who voted with the majority to move a reconsideration thereof at the same or succeeding meeting; but no question shall be reconsidered the second time without the consent of two-thirds of the members of the Council.

RULE 20. Petitions and other papers addressed to the Council shall be read by the clerk, who shall announce the name of the member offering the same.

RULE 21. It shall be the duty of the clerk to keep a correct journal of the proceedings of the Common Council, and to perform such other duties as appertain to him as clerk. He shall have charge of the city records, and shall not suffer the same to be taken from his custody other than

by the regular mode of business of the Council; and if any paper or book in his custody shall be lost, he shall report the same to the mayor.

RULE 22. The following standing committees shall be appointed by the mayor annually, to-wit:

- On Ways and Means.
- On Streets and Bridges.
- On Sidewalks.
- On Public Buildings and Grounds.
- On Pavement.
- On Public Improvement.
- On Sewers.
- On Ordinances.
- On Claims and Accounts.
- On Fire Department.

RULE 23. The following shall be the order of business:

- 1st. Reading of the minutes.
- 2d. Petitions and applications to the Council.
- 3d. Reports from city officers.
- 4th. Reports from committees.
- 5th. Claims and accounts.
- 6th. Unfinished business.
- 7th. General order of business.

RULE 24. These rules shall not be suspended, altered, amended, or rescinded but by a vote of two-thirds of the members present.

Adopted August 7, 1871.

A large, stylized handwritten signature in dark ink, reading "Walter E. Johns". The signature features elaborate flourishes, including a large loop at the end of the last name and a smaller loop below the first name.

Chas. E. Solis

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